

रजिस्टरेशन नं १०/४५० रम ० १३.



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 29]

शिमला, शनिवार, 30 मई, 1981/९ ज्येष्ठ, 1903

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३० मई, 1981/९ ज्येष्ठ, 1903 को समाप्त होने वाले सम्पादन में निम्नलिखित विज्ञप्तियाँ 'प्रसाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईः—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. Him/Tp.-31/81-77-777, dated the 11th May, 1981.	Town and Country Planning Organisation	Notice of publication of existing land-use map, Manali planning area alongwith Hindi version.
No. Him/Tp.-44/81-576-676, dated the 11th May, 1981.	-do-	Notice of publication of existing land-use map, Kulu planning area alongwith Hindi version.
No. LLR. D(6)24/80, dated the 28th May, 1981.	Law Department	The Himachal Pradesh Official Language (Supplementary Provisions)Act, 1981 (Act No. 12 of 1981)

**भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा प्रक्रियालय इत्यादि
हिमाचल प्रदेश हाई कोर्ट**

NOTIFICATIONS

Simla-1, the 20th March, 1981

No. HHC/GAZ 3-10/71-II-2836.—The Hon'ble Chief Justice is pleased to grant 53 days earned leave with effect from 25th March, 1981 to 16th May, 1981 with permission to suffice holiday on 17th May, 1981 in favour of Shri R. C. Malhotra, Deputy Registrar (Admn.) of this Court.

Certified that Shri R. C. Malhotra, Deputy Registrar (Admn.) is likely to join the same post and at the same station from where he proceeds on leave.

Certified further that Shri R. C. Malhotra would have continued to hold the post of Deputy Registrar but for his proceeding on leave.

Simla-1, the 23rd March, 1981

No. HHC GAZ 3-10/71-II-2846.—Consequent upon the grant of 53 days earned leave with effect from 25th March, 1981 to 16th May, 1981 in favour of Shri R. C. Malhotra, Deputy Registrar (Admn.) of this Court, the Hon'ble Chief Justice is pleased to order the following appointments on promotion:

1. Shri T. R. Thakur, officiating Assistant Registrar, as Deputy Registrar (Admn.) in the scale of Rs. 1400-60-1700-75-1850 plus Rs. 200 as special pay *vive* Shri R. C. Malhotra.
2. Shri Bishan Dass, Private Secretary, as Assistant Registrar in the scale of Rs. 1400-60-1700-75-1850, *vive* Shri T. R. Thakur.

The above appointments, on promotion are purely against the leave vacancy and will not confer any right to claim seniority or future promotion on the basis of this arrangement.

By order,
V. P. BHATNAGAR,
Registrar.

Simla-1, the 23rd March, 1981

No. HHC Admn. 6 (22)/74-2800.—In exercise of the powers vested in them under section 9(5) of the Code of Criminal Procedure, the Hon'ble Chief Justice and Judges are pleased to empower Shri S. S. Ahuja, Additional District and Sessions Judge, Simla, during the leave period of Shri Surendra Prakash, District and Sessions Judge, Simla to entertain and dispose of any urgent application which is, or may be, made or pending before the Sessions Judge, Simla, Sessions Division with an immediate effect.

Simla-1, the 20th April, 1981

No. HHC/GAZ 14-43/74-5070.—The Hon'ble Chief Justice is pleased to accord *ex-post-facto* sanction to the grant of 2 days extension in earned leave for 4-3-1981 and 5-3-1981 in continuation of 13 days earned leave with effect from 19-2-1981 to 3-3-1981 in favour of Shri D. S. Negi, Subordinate Judge-cum-Judicial Magistrate 1st Class, Rohru, District Simla, Himachal Pradesh.

Certified that Shri D. S. Negi, Subordinate Judge-cum-Judicial Magistrate 1st Class joined the same post and at the same station from where he proceeded on leave after the expiry of the above period of leave.

Certified further that Shri D. S. Negi would have continued to hold the post of Subordinate Judge-cum-Judicial Magistrate 1st Class but for his proceeding on leave.

By order,
Sd/-
Deputy Registrar (Admn.)

Simla-1, the 22nd April, 1981

No. HHC/Admn. 6 (23)/74-I-5138.—In exercise of the powers vested in him under Rule 1.26 of the H.P.

Financial Rules, Vol. I, the Hon'ble Chief Justice is pleased to declare the Sub-Judge *cum*-Judicial Magistrate, Thorog H.P., as Drawing and Disbursing Officer, as also the controlling officer for the purpose of T.A. etc; in respect of Class III and IV establishment of the Court of the Sub-Judge-*cum*-Judicial Magistrate, Rohru, Himachal Pradesh, under the Head 214—Administration of Justice, till such time the Presiding Officer of the Court of Sub-Judge-*cum*-Judicial Magistrate, Rohru is appointed.

Simla-1, the 22nd April, 1981

No. HHC/Admn. 6 (15)/74-5204.—In exercise of the powers vested in them under sub-sections (2) and (3) of section 11 of the Code of Criminal Procedure, 1973, the Hon'ble Chief Justice and Judges are pleased to appoint and confer the powers of Judicial Magistrate 1st Class upon Shri D. D. Sharma (Judicial Magistrate 1st Class, Rampur) to be exercised by him within the local limits of Kinnaur district, Himachal Pradesh, with immediate effect till further orders, by way of local administrative arrangement.

Simla-1, the 22nd April, 1981

No. HHC/Admn. 6 (24)/74-I-5226.—In exercise of the powers vested in them by sections 11 and 12 of the Himachal Pradesh Courts Act, 1976, the Hon'ble Chief Justice and Judges are pleased to appoint and confer the powers of Subordinate Judge 1st Class upon Shri D. D. Sharma (Subordinate Judge 1st Class, Rampur) to be exercised by him within the local limits of Kinnaur district, Himachal Pradesh with immediate effect till further orders, by way of local administrative arrangement.

Simla-1, the 27th April, 1981

No. HHC/Admn. 16 (7)/74-I-5482.—In exercise of the powers vested in them by section 139 (b) of the Code of Civil Procedure, 1908, the Hon'ble Chief Justice and Judges are pleased to appoint S/Shri Harsanjeev Singh and Surinder Singh Jandrotia Advocates, as Oath/Commissioners for a period of two years from the date of issue of this notification at Chamba proper, District Chamba, Himachal Pradesh, for administering oaths/affirmations on affidavits to the deponents under the Code in accordance with the terms specified in paragraph 5 of Ch. 12-B of the Punjab High Court Rules and Orders Vol. IV, as applied to Himachal Pradesh.

Simla-1, the 27th April, 1981

No. HHC/Admn. 16 (13)/74-II-5502.—In exercise of the powers vested in them by section 139 (b) of the Code of Civil Procedure, the Hon'ble the Chief Justice and Judges are pleased to appoint for a period of two years from the date of issue of this notification the following Advocates as Oath Commissioners for the places mentioned against their names for administering Oath/Affirmation on affidavits to the deponents under the Code, in accordance with the terms specified in paragraph 5 of Ch. 12-B Punjab High Court Rules and Orders Vol. IV as applied to Himachal Pradesh:

Sl. No.	Name	Place
1.	Shri Lalit Kumar Himalayan	Rohru, District Simla, H.P.
2.	Shri Mohan Lal Kalta	-do-
3.	Shri Mool Raj Sharma	Solan (Proper) District Solan, H.P.
4.	Shri G. R. Verma	Solan (proper) H.P.
5.	Shri Madhu Pal Singh	Solan (proper) District Solan, H.P.
6.	Shri Chander Kant	Sundernagar, District Mandi, H.P.
7.	Shri Satya Pal Chaudhary.	Sundernagar, Mandi District, H.P.

Simla-1, the 28th April, 1981

No. HHC/Admin. 16 (24)/75-5474.—The Hon'ble Chief Justice and Judges are pleased to terminate the appointment of Shri Dhani Ram pleader, Una, as Oath Commissioner, made *vide* this Registry notification of even number, dated 6/7th May, 1980, with immediate effect.

Simla-1, the 29th April, 1981

No. HHC/Admin. 6 (24)/74-I-5563.—In exercise of the powers vested in them under section 9(4) and proviso to section 5 of the Himachal Pradesh Courts Act, 1976, the Hon'ble Chief Justice and Judges are pleased to appoint the District and Sessions Judge, Simla Civil and Sessions Division as the *ex-officio* Additional District and Sessions Judge for Mandi Civil and Sessions Division for entertaining and deciding appeals, revisions and other Civil and Criminal cases pertaining to Outer Seraj area of Ani Sub-Division of Kulu district which are presently being heard by the District/Additional District and Sessions Judges, Mandi Division, with immediate effect.

The Hon'ble Chief Justice and Judges are further pleased to transfer all cases of the aforesaid area pending in the Courts of District/Additional District and Sessions Judges, Mandi Civil and Sessions Division to the file of the Additional District and Sessions Judge, Mandi Division at Simla for being heard and disposed of by him according to law.

Simla-1, the 29th April, 1981

No. HHC/Admin. 6 (18)/77-II-5484.—In exercise of the powers vested in them under section 13 of the Code of Criminal Procedure, 1973 (Act No. 2, 1974), the Hon'ble Chief Justice and Judges are pleased to confer the powers of Special Judicial Magistrates Second Class upon the following officers of the Central Civil Services to be exercised by them within the areas noted against each, for a period of three months from the dates they start working as Special Judicial Magistrates.

Sl. No.	Name and Designation	Area of local limits
1.	Sh. O. P. Tondan, Desk Officer, District Kulu, H.P. Deptt. of Commerce, Govt. of India, New Delhi.	
2.	Sh. G. C. Sharma, Section Officer, District Kangra, H.P. Officer, Deptt. of Commerce, Govt. of India, New Delhi.	
3.	Sh. B. P. Singh, Desk Officer, District Simla, H.P. Ministry of Defence, Govt. of India, New Delhi.	

By order,
V. P. BHATNAGAR.
Registrar.

Simla-1, the 30th April, 1981

No. HHC/GAZ/14-30/74-II-5517.—The Hon'ble Chief Justice is pleased to sanction 10 days earned leave with effect from 29-4-1981 to 8-5-1981 with permission to suffix holidays falling on 9 and 10-5-1981 in favour of Mrs. Kiran Aggarwal, Senior Sub-Judge-cum-Chief Judicial Magistrate, Hamirpur, District Hamirpur, Himachal Pradesh.

Certified that Mrs. Kiran Aggarwal is likely to join the same post and at the same station from where she proceeds on leave after the expiry of the above period of leave.

Certified further that Mrs. Kiran Aggarwal would have continued to hold the post of Senior Sub-Judge-cum-

Chief Judicial Magistrate, but for her proceeding on leave.

By order,
Sd/-
Deputy Registrar (Admin.).

Simla-1, the 4th May, 1981

No. HHC/Admin. 10 (Misc) 16/74-5639.—It is notified for the information of all concerned that as a mark of respect to the memory of late Dr. Yashwant Singh Parmar, former Chief Minister of Himachal Pradesh, it has been decided by the Hon'ble Chief Justice and Judges that the High Court of Himachal Pradesh and all the courts subordinate to it shall remain closed today, the 4th May, 1981 (Monday).

By order of Hon'ble Chief Justice and Judges.
V. P. BHATNAGAR,
Registrar.

हिमाचल प्रदेश सरकार

DEPARTMENT OF PERSONNEL

NOTIFICATIONS

Simla-171002, the 13th March, 1981

No. 1-15/73-DP-APPTI-I.—The Governor, Himachal Pradesh, is pleased to order the transfers and posting of the following officers with immediate effect in public interest:—

1. On return from training, Shri R. G. Sood, I.A.S., is posted as Director, H. P. Institute of Public Administration, Fair Lawns, Mashobra vice Shri S. N. Verma; and
2. Shri S. N. Verma, Select List Officer of I.A.S., Director, H. P. Institute of Public Administration and holding additional charge of Deputy Secretary (Home) is transferred and posted as Deputy Secretary (Home) to the Government of Himachal Pradesh.

K. C. PANDEYA,
Chief Secretary.

Simla-2, the 16th March, 1981

No. 10-5/73-DP-Appit: Vol. II.—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh, is pleased to appoint Shri Jagdish Prashad, Naib-Tehsildar Sadar (Bilaspur) to be the Executive Magistrate, with all the powers of an Executive Magistrate under the said Code, to be exercised within the local limits of Tehsil Sadar, District Bilaspur, with immediate effect.

Sd/-
Deputy Secretary.

Simla-2, the 18th March, 1981

No. PER (A-I)-B (20)-3/78-III.—The Governor, Himachal Pradesh, is pleased to appoint Shri N. N. Gautam, substantive Tehsildar, purely on temporary basis to officiate in the Himachal Pradesh Administrative Service and to post him as Extra Assistant Settlement Officer, Kinnaur (vacant post) with effect from the date he takes over as such.

2. This promotion being purely on temporary basis shall not confer any right on him to the continuance/promotion/appointment/seniority in the Himachal Pradesh Administrative Service.

K. C. PANDEYA,
Chief Secretary.

Simla-2, the 18th March, 1981

No. DP-Appt-1-81.—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh, is pleased to appoint Shri Beas Dev Kalra, Naib-Tehsildar, Kulu to be the Executive Magistrate, with all the powers of an Executive Magistrate under the said Code, to be exercised within the local limits of Kulu Sub-Division, District Kulu with immediate effect.

Sd/-
Deputy Secretary.

Simla-2, the 19th March, 1981

No. PER (A-I)-B (6)-1-80.—The Governor, Himachal Pradesh, is pleased to order that Shri Chamel Singh, General Assistant to Deputy Commissioner, Lahaul and Spiti shall hold the charge of the post of Sub-Divisional Officer (Civil)-cum-Project Officer, Keylong with immediate effect in public interest, in addition to his own duties, till Shri Bhim Sen joins.

Simla-2, the 19th March, 1981

No. 3-16 74-DP (Apptt).—The Governor, Himachal Pradesh, is pleased to order that Shri Shamsher Singh General Assistant to Deputy Commissioner, Chamba shall hold the charge of the post of Sub-Divisional Officer (Civil) Churah, District Chamba with immediate effect in public interest, in addition to his own duties, till a regular Sub-Divisional Officer (Civil) is appointed, relieving Shri D. D. Sharma of the additional charge.

Simla-2, the 19th March, 1981

No. 3-28 71-DP (Apptt) Vol II.—The Governor, Himachal Pradesh, is pleased to order the posting of Shri V. K. Bhatnagar, H.A.S., presently on deputation with the Government of India, Ministry of Works and Housing as Deputy Land and Development Officer, on his reversion to State as Deputy Inspector General (Prisons), Himachal Pradesh, Simla with effect from the date he takes over as such in the public interest.

Simla-2, the 20th March, 1981

No. 1-39 72-DP-Apptt.—The Governor, Himachal Pradesh, is pleased to appoint Mrs. C. P. Sujaya, I.A.S., Managing Director, Himachal Pradesh Financial Corporation to officiate in the super-time scale of I.A.S., viz, Rs. 2500-125,2-2750 purely as a temporary measure with immediate effect.

K. C. PANDEYA,
Chief Secretary.

Simla-2, the 23rd March, 1981

No. Per (AP-II)-B (4)-1/76.—In supersession of this department notification of even number, dated the 5th March, 1981, the Governor, Himachal Pradesh, is pleased to sanction 18 days earned leave w.e.f. 16-1-1981

to 2-2-1981 in favour of Shri R. C. Sharma, Member of the Himachal Pradesh Public Service Commission.

By order,
K. C. PANDEYA,
Chief Secretary.

Simla-2, the 23rd March, 1981

No. 10-1-72-DP-Apptt. Vol. II.—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh, is pleased to appoint Shri T. R. Negi, Tehsildar, Bhattiayat to be the Executive Magistrate, with all the powers of an Executive Magistrate under the said Code, to be exercised within the local limits of Tehsil Bhattiayat, District Chamba, with immediate effect.

Sd/-
Deputy Secretary.

Simla-2, the 24th March, 1981

No. 3-29/70-DP-Apptt.—In partial modification of this department notification of even number, dated the 29th December, 1980 and 9th January, 1981, the Governor, Himachal Pradesh, is pleased to accord *ex-post facto* sanction to the grant of 25 days earned leave w.e.f. 5-1-1981 to 29-1-1981 with permission to prefix gazetted holiday falling on 4th January, 1981, in favour of Shri Arvind Kaul, I.A.S., Director of Industries, Himachal Pradesh, subject to verification of title to leave.

Simla-2, the 24th March, 1981

No. Karmik (A-I)-B (6) 2/81.—The Governor, Himachal Pradesh, is pleased to order that during the course of Training (10th B.T.C.) from 2-3-1981 to 4-4-1981 of Shri Gian Chand Kaushal, I.P.S., A.D.C. to Governor who has been deputed for the same, Shri D. S. Manhas, I.P.S., A.S.P. Simla shall hold the charge of the post of A.D.C. to Governor.

Simla-2, the 24th March, 1981

No. 1-15/73-DP-Apptt.—The Governor, Himachal Pradesh, is pleased to order the redesignation of the post of "Special Representative of Himachal Pradesh at Delhi" as "Special Representative-cum-Special Secretary Public Relations, Himachal Pradesh at Delhi" with immediate effect.

Simla-2, the 24th March, 1981

No. Karmik (A-I)-B (6) 1/81.—The Governor, Himachal Pradesh, is pleased to order with immediate effect the following postings and transfers in public interest:

- (1) Shri Kishori Lal, Deputy Superintendent of Police, Bilaspur is transferred and posted as Deputy Superintendent of Police (Leave Reserve) at the Police headquarters at Simla against a vacant post;
- (2) Shri Tek Singh, Deputy Superintendent of Police (Leave Reserve) is transferred and posted as Deputy Superintendent of Police, Bilaspur *vice* Shri Kishori Lal transferred; and
- (3) Shri Roshan Lal Sid, H.P.P.S. (Probationer) on the completion of his training/probation is posted as Deputy Superintendent of Police (Leave Reserve) against the post at Police headquarters, Simla, *vice* Shri Tek Singh.

Simla-2, the 26th March, 1981

No. 1-13/69-DP (Apptt).—In continuation of this department notification of even number, dated the

25th August, 1980, since Shri Shamsher Singh, a member of Himachal Pradesh Administrative Service, presently posted as General Assistant to Deputy Commissioner, Chamba, has not qualified the prescribed Departmental Examination of the Service by the required standard in full so far, the Governor, Himachal Pradesh, is pleased to extend his probationary period further upto 30th April, 1981, under Proviso (c) to Rule 20 of the H.P.A.S. Rules, 1973.

Simla-171002, the 27th March, 1981

No. 5-10/71-DP-APPTT (A-I)-VOL-II.—The Governor, Himachal Pradesh, is pleased to appoint Shri Vinod Al, I.A.S., Special Representative-cum-Special Secretary (Public Relations) to the Government of Himachal Pradesh at Delhi in the Selection Grade of I.A.S., viz., s. 2000-125/2-2250 purely as a temporary measure e.f. March 20, 1981.

Simla-2, the 1st April, 1981

No. 7-14/74-DP-Apptt. Vol. II.—The Governor, Himachal Pradesh, is pleased to order the cancellation of this Department's Notification No. 7-12/74-DP-Apptt., dated the 15th February, 1974 and Notification No. 7-4/74-DP-(Apptt.), dated the 24th June, 1977 *vide* which the Director, Himachal Pradesh Institute of Public Administration was declared as *ex-officio* Special Secretary (Training), Officer on Special Duty as *ex-officio* Under Secretary (Training) and Additional Director of Himachal Pradesh Institute of Public Administration as *ex-officio* Deputy Secretary (Training).

2. The Governor, Himachal Pradesh, is further pleased to order that the Special Secretary (Personnel) and the Deputy Secretary (Personnel) to the Government of Himachal Pradesh shall also function as Special Secretary (Training) and Deputy Secretary (Training), in addition to their own duties.

3. These orders shall come into force at once.

OFFICE ORDER

Simla-2, the 1st April, 1981

No. 7-14/74-DP-Apptt. Vol. II.—It is hereby ordered that the Department of Personnel (Appointment-I) shall hence forth be the Administrative Department in respect of Directorate of H.P. Institute of Public Administration, Fair Lawns, Mashobra.

K. C. PANDEYA,
Chief Secretary.

NOTIFICATIONS

Simla-171002, the 1st April, 1981

No. 8-45/74-SAS-I (i).—On the recommendations of the Departmental Promotion Committee and with the prior approval of the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to promote and appoint Shri Suresh Chand, a substantive Personal Assistant to officiate as Private Secretary in the pay scale of Rs. 825-25-850-30-1000/40-1200/50-1400-60-1580, plus special pay at the rate of Rs. 100 p.m. with immediate effect, until further orders.

2. Shri Suresh Chand shall be on two years probation from the date of issue of this notification.

S. M. VERMA,
Under Secretary.

Simla-2, the 8th April, 1981

No. 10-1/72-DP-Apptt. Vol. III—In exercise of the powers conferred by sub-section (1) of section 20 of the

Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh, is pleased to appoint Shri Prakash Chaudhary, Naib-Tehsildar, Dalhousie to be the Executive Magistrate, with all the powers of an Executive Magistrate under the said Code, to be exercised within the local limits of Sub-Tehsil Dalhousie, District Chamba, with immediate effect.

Sd/-
Deputy Secretary.

Simla-2, the 10th April, 1981

No. PER(A-I)-B (6)-1/81.—The Governor, Himachal Pradesh is pleased to order the following postings and transfers of H.P.A.S. Officers with immediate effect in public interest:—

1. Shri D.K. Negi, H.A.S., Project Officer, Kinnaur, now under orders of transfer as S.D.O. (Civil), Chopal, is transferred and posted as District Development and Panchayat Officer, Simla, *vice* Shri J.S. Rana; and
2. Shri J.S. Rana, H.A.S., District Development and Panchayat Officer, Simla is transferred and posted as G.A. to Deputy Commissioner, Solan (vacant post).
2. The Governor is further pleased to order the cancellation of transfer and posting orders of Shri D.K. Negi, H.A.S., Project Officer, Kinnaur as S.D.O. (Civil), Chopal, District Simla issued *vide* this Department notification No. PER (A-I)-B(6)-1/80, dated 27th October, 1980.

Simla-171002, the 10th April, 1981

No. 8-176/71-DP (Apptt)-Part-File.—The Governor, Himachal Pradesh is pleased to appoint the following substantive members of the Himachal Pradesh Administrative Service who have completed 12 years service in accordance with the provision of proviso (c) to Rule 23(4) of HPAS (Second Amendment) Rules, 1980 to the Selection Grade of the Service (HPAS) Rs. 1775-2000/100-2300 with effect from 26th May, 1980:—

- (1) Shri Jai Chand, Under Secretary (Admn. Refrims) to H.P. Government.
- (2) Shri Satpal Singh, Managing Director, HIMFED, Simla.
- (3) Shri Baldev Singh, Dy. Excise & Taxation Commissioner, Himachal Pradesh, Simla.
- (4) Shri V.P. Chaudhry, Secretary State Transport Authority, Himachal Pradesh.
- (5) Shri Jagdish Chand Thapar Dy. Commissioner (R&R), Talwara.
- (6) Shri Puran Bhagat Sharma, Under Secretary, H.P. Public Service Commission.
- (7) Shri Gursahai Chauhan, Under Secretary (Law) to the Govt. of Himachal Pradesh.
- (8) Shri D.C. Joshi, Land Acquisition Officer, (P.W.D.) Simla,

Simla-2, the 10th April, 1981

No. PER (A-I)-B (2)-3/78-vol.II.—The Governor, Himachal Pradesh, under sub-rule-A of Rule 9 of the Himachal Pradesh Administrative Service Rules, 1973 and in consultation with the Himachal Pradesh Public Service Commission is pleased to appoint the following Select-List Officers of the defunct DHANI (presently officiating in HPAS purely on temporary basis) on probation to the Himachal Pradesh Administrative Service with effect from the date of issue of this notification:—

S.No.	Name of Officer	Category to which Present posting belongs	
1	2	3	4
1.	Shri C.L.Thakur	District Industries Officer.	G.A. to Deputy Commissioner, Kulu.

1	2	3	4
2.	Shri D.R. Tanwar	Section Officer, H.P. Secretariat.	City Magistrate, Simla.
3.	Shri Ishwar Dass	Superintendent, Deputy Commissioner Office.	Land Acquisition Officer (P.W.D.), Solan.
4.	Shri K.C. Aggarwal.	Superintendent P.W.D.	Land Acquisition Officer, (P.W.D.)-I, Simla.
5.	Shri Man Singh	District Panchayat Officer.	S.D.O. (Civil) Bharmour.
6.	Shri M.C. Sood	Superintendent, Forest Department.	Excise & Taxation Officer, Simla.

ADDENDUM*Simla-2, the 10th April, 1981*

No. per (Ap-II)-A(1)-1/80.—In the Department of Personnel's notification of even number dated 16th March, 1981, the following words stand added in the second line line of para one after the word 'India' and before the words 'the':—

'and in partial modification of the Department of personnel's notification No. Per (Ap-II)-A (3)-9/76, dated. 20th September, 1978.

Simla-2, the 10th April, 1981

No. PER (A-I)-B (2)-3/78-Vol. II.—In consultation with the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint the following Tehsildars to officiate in Himachal Pradesh Administrative Service purely on temporary basis and to post them against the posts mentioned against each with effect from the dates they take over as such:—

Sl. No.	Name of Officer	Category from which appointed	Post against which posted
1	2	3	4
1.	Shri B. S. Bhandari	Tehsildar	L.A.O. (P.W.D.), Hamirpur (vacant post).
2.	Shri D. S. Kultehria	Tehsildar	L.A.O. (P.W.D.), Simla vice Shri D.G. Joshi whose posting orders will be issued separately.
3.	Shri D. C. Chandel	Tehsildar	L.A.O. (P.W.D), Mandi (vacant post).
4.	Shri Rajinder Kumar	Tehsildar	L.A.O. Talwara (vacant post).

2. These appointments being purely on temporary basis shall not confer any right on these officers to the continuance/promotion/appointment/seniority etc., to the Himachal Pradesh Administrative Service.

Simla-2, the 10th April, 1981

No. PER (A-I)-B (15)-2/79.—In consultation with the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh, is pleased to appoint the following Non-Tehsildars to officiate in Himachal Pradesh Administrative Service purely on temporary basis and to post them against the posts mentioned against each with effect from the date they take over as such:—

Sl. No.	Name of Officer	Category from which appointed	Post against which posted
1	2	3	4
1.	Shri Shiv Dutt Mehta	Superintendent, H.P., P.W.D.	General Assistant to Deputy Commissioner, Hamirpur (vacant post).
2.	Shri C. L. Sharma	Block Development Officer.	General Assistant to Deputy Commissioner, (Mandi) (vacant post).
3.	Shri Prem Singh Verma	Block Development Officer.	Project Officer, Kinnair vice Shri D. K. Negi already transferred.

2. These appointments being purely on temporary basis shall not confer any right on these officers to the continuance/promotion/appointment/seniority etc., to the Himachal Pradesh Administrative Service.

K. C. PANDEYA,
Chief Secretary.

श्रम विभाग
अधिकारी
शिमला-2, 7 मार्च, 1981

संख्या ३-२०/८०-श्रम-प्रौद्योगिक विवाद अधिनियम, 1947, (1947 का अधिनियम संख्या को बारा १७ के अनुसरन में राज्यपाल, हिमाचल प्रदेश सर्वश्री/प्रीमिति राम स्वरूप, ज्ञान चन्द, अमर नाथ (२) अनिता शर्मा (३) रत्न चन्द (४) जीत सिंह (५) सुनिता शर्मा (६) अनीता शर्मा (७) मिसेज सुमन खोमला तथा (८) राम स्वरूप तथा पूर्णोलेटर आफ इडवालि० परवानु के मध्य चल रहे विवादों पर श्रीजाईडग अराफिसर श्रम न्यायालय, हिमाचल प्रदेश के द्वारा दिए गए निम्नलिखित निर्णय, जो सरकार को दिनांक 29-८-८० को प्राप्त हुए हैं को प्रकाशित करने के महर्य आदेश देते हैं।

- (1) Shri Ram Swaroop, Gian Chand and Amar Nath *versus* Purolator of India Ltd., Parwanoo.
- (2) Shri Rattan Chand *versus* -do-
- (3) Shrimati Anita Sharma *versus* M/s Purolator of India.
- (4) Shri Jeet Singh -do-
- (5) Shrimati Sunita Sharma -do-
- (6) Shrimati Anita Sharma -do-
- (7) Mrs. Suman Khosla -do-
- (8) Shri Ram Swarup, Gian Chand and Amar Nath -do-

आदेशानुसार,
हस्ताक्षरित,
सचिव ।

**BEFORE SHRI H. D. KAINTHLA, PRESIDING
OFFICER, LABOUR COURT FOR HIMACHAL
PRADESH**

CASE No 24 or 1979

1. Ram Saroop, (2) Gian Chand, (3) Amar Nath
Applicants.

Versus ..

M/s Purolator India Ltd., 14, Sector-1, Industrial Area,
Parwanoo-173220. *Respondents.*

Application under section 33-A of Industrial Dispute
Act, 1947.

ORDER:

The three applicants allege that an industrial dispute dated 4-10-1978 is pending under a reference between the parties. That after the said reference case, the respondents altered the service conditions to the prejudice of the applicants, thus victimizing them for alleged misconduct connected with the dispute and issued a letter on 14-6-1979 that, "You will remain under suspension till the ban of dismissal is removed by the Industrial Tribunal but no suspension allowance or wages will be payable to you from the date of submission of this application before the Industrial Tribunal."

(2) According to the applicants, the respondents company has stopped payment of wages or suspension allowance, thus altered service conditions, that during the pendency of the proceedings before this Hon'ble Tribunal, the opposite party has contravened, therefore, the provisions of section-33 of the Industrial Dispute Act, 1947.

(3) Therefore, the complainants pray that the Tribunal may be pleased to decide the complaint as set out and pass such orders thereon as it may deem fit and proper.

(4) The respondents have filed written statement to this complaint of the workers applicants that they were placed under suspension pending disciplinary proceedings. That the action of the Management to suspend the workmen during the pendency of the request for permission of their dismissal by the Industrial Tribunal does not amount to any alteration in the condition of employment. In any case, the cause of action does not fall under any of the restrictions contained in section 33(1) of the Industrial Dispute Act. That the Management having come to the conclusion that a *prima-facie* case for dismissal is made out, would have dismissed the applicants in the ordinary course but due to the pendency of a reference case, the permission to dismiss has been sought from the Tribunal and suspension without wages is permissible in such a situation. That as a matter of fact, the present complaint is not maintainable under section 33-A. The only dispute of the workman is that they have a legal right of the proceedings for permission to dismiss, are pending before this Tribunal. Such a claim can only be filed under section 33-C(2) of the I.D. Act as the jurisdiction to compute any money due is vested in the labour court under section 33-C(2) and not in this Tribunal in these proceedings. In

the former proceedings, the workmen and the management can plead their respective points of view and the Labour Court would have jurisdiction to decide the same.

(5) Before going into further merits of the complaint the preliminary legal point that arose for decision is as under:

Whether on the contentions raised by the applicants, the acts of the respondents in suspending them without pay/suspension allowance is change in service conditions in contravention of section 33 of the Industrial Dispute Act?

(6) The cause of action allegedly has arisen to the applicant for filing this complaint under section 33-A of the Industrial Dispute Act, on the basis of the letter dated 14-6-1979, per copy marked 'X' addressed by the respondent to the applicant the letter reads as under:-

"This is to inform you that the management, after considering report of the Enquiry Officer into the allegations against you, have decided to dismiss you from the services in view of the gravity of the misconduct and all other relevant factors. However, since there is a pendency of proceedings before the Industrial Tribunal, the management has decided to seek express permission of the Industrial Tribunal to dismiss you. An application under section 33 of the Industrial Disputes Act has, therefore, been filed before the Industrial Tribunal for the purpose. In the meanwhile, you will remain under suspension till the ban of dismissal is removed by the Industrial Tribunal but no suspension allowance of wages will be payable to you from the date of submission of this application before the Industrial Tribunal."

(7) I have heard the authorised representatives on both sides on this legal point. There is no dispute regarding the fact that the suspension allowance has been stopped by the respondent-management after having come to the conclusion that the applicant-workers deserve to be dismissed from employment for their proved mis-conduct. This act of dismissal is deferred till the Industrial Tribunal grants such permission to them under law.

(8) The legal position is that in case the permission to dismiss the applicants is not granted by the Industrial Tribunal, the applicant-workers shall be entitled to the back wages or otherwise if the permission is granted, the Management is justified in denying the benefit of suspension allowance from the date when it moves the Industrial Tribunal for seeking permission to dismiss them. The denial of suspension allowance during the pendency of the matter of permission to dismiss, with the Tribunal, will not make out a case of change in service conditions contemplated under section 33-A of the Industrial Dispute Act.

(9) The authorities for the proposition of law are 1959 (2nd) LIJ, 231, *Vavi Corillary Vs. Bhurban Singh and others* (Supreme Court) and *Hotel Imperial, New Delhi* versus *Hotel Workers Union*, in the same volume of the Journal at page 544 (Supreme Court) and 1957 LIJ-17 *Laxmi Devi Sugar Mills, Ltd., versus Ram Saroop and others* (Supreme Court).

(10) 12-FJR (1957-58) page 269 *Anbis' Cafe* versus *Thangavelu and another* (Madras High Court) is another specific authority, laying down that suspended workman cannot apply under section 33-A of the Industrial Dispute Act.

(11) The authority cited on the side of the applicant is 1954 (2nd)-LIJ 467 *bank of Jaipur Ltd., versus Kishori Lal and K.S. Ram*, a judgement of labour Appellate Tribunal wherein the facts were somewhat different, but this judgement is very short one, containing no elaborate reasons. Moreover, this authority of the Appellate Tribunal cannot be preferred over the Supreme Court rulings.

From the above, it is very clear that the applicants complaint under section 33-A is misconceived. It is rejected without any order as to costs.

H. D. KAINTHLA,
Presiding Officer,
Announced: Labour Court for Himachal Pradesh,
February, 1980. Simla.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, STATE OF HIMACHAL PRADESH AT SOLAN(HIMACHAL PRADESH)

Shrimati Anita Sharma daughter of Shri Som Dutt Sharma, resident of Sarahan, Tehsil Pachhad ...Applicant.
Versus

M/s Purolator India Limited, Parwanoo, District Solan ...Respondent.

Application under section 33-C(2) of Industrial Dispute Act,

JUDGEMENT ORDER:

The applicant was working with the respondent in the factory at Parwanoo as a worker. She alleged that she was suspended with effect from 6-10-1978 but has not been paid any subsistence allowance during the suspension period. Therefore, she claims 1/2 of the normal wages for 3 months amounting to Rs. 300 and thereafter at the rate of 3/4 of the wages from 6-10-1978 to 6-6-1979 for 6 months Rs. 900. In this way Rs. 1200 are claimed as suspension allowance for the period shown above.

2. The respondent company have stated in their written reply to the claim petition that suspension allowance upto December, 1979 at the rate of 50% of the wages has been received by the applicant whereas 12 days suspension allowance for the month of January, 1979 is lying unclaimed which the applicant can collect any time. It has been further pleaded that after domestic inquiry for charges against the applicant/workman having been proved, the applicant voluntary resigned from the service of the respondent company on 12-1-1979 as she was otherwise liable to be dismissed.

3. The pleadings of the parties resulted in the following issues being framed:—

- (1) Whether the applicant is entitled to suspension allowance at the rate of 50% for first three months and thereafter at the rate of Rs. 75% OPP?
- (2) Whether the applicant resigned on 12th January, 1979 after having received all emoluments upto 31-12-1979, OPP?
- (3) Whether the applicant was made to sign blank paper and other documents and made to resign by exercising under influence and coercion on the side of the respondent, OPP?
- (4) Relief.

FINDINGS ON THE ISSUE

Issue No. 1

4. The defendants have not denied the rate of suspension allowance as alleged by the applicant, payable to a suspended worker of the respondents company. So this issue is held in the affirmative.

Issue No. 2 and 3

5. According to the evidence of S/Shri Deep Singh Gujral, Plant Manager of the respondents company and Shri C.M. Khera, manager Personal and Administration, Pesticides and Chemical Ltd., Sector 17, Chandigarh (RWs. 1 and 2), the applicant has resigned after completion of the enquiry against her. They further stated that there was no undue influence or pressure exerted on the applicant for making her to resign. It was before him that the applicant tendered her resignation Ex.R.C. which was recommended by him for acceptance to the General Manager of the company. It is no recommended and signed by this witness on 12-1-1979. The letter of acceptance of resignation issued to the applicant which she received under her signature is per copy Ex.RE which is issued by the Manager Shri R. Chawla.

6. The C. M. Khara (RW-2) stated that the applicant was paid her dues copy-upto the date of her resignation i.e. 12-1-1979 Ex. RD also shows the payment of Rs. 93 i.e. Rs. 53 suspension allowance and Rs. 40 bonus amount for 1977-78 made to the applicant.

The applicant, however, admitted in cross-examination that she had marked herself present from 6-10-1978 till 13-3-1979 the date of resignation and had got the suspension allowance. She further states that she had told her Authorised Representative (in the case) while filing her application that she had received the suspension allowance upto January, 12, 1979. So on the applicant's own admission made in her statement, this claim for suspension period allowance is negated. Again strangely enough in the cross-examination the applicant stated that her signature were obtained on receipt Ex.RD but she had not received any money at all.

7. The applicant further admits that disciplinary inquiry proceedings were taken against her and that she had received the charge-sheet per copy Ex.RA dated 25th September, 1978.

8. Regarding the resignation the applicant stated that it was obtained by Shri Khera under the threat of termination of services and institution of cases against her spoiling her life. This has been denied by Shri C.M. Khera (RW-2).

9. Ex.P.A. affidavit dated 2-2-1979 made by the applicant before an Oath Commissioner at Solan. This is a statement of the party made in her favour and has got no value in view of the contradictory statement made by the applicant in her own deposition before this Court.

10. The long and sort of the above discussion is that the issues go against the applicant. The applicant resigned on 12-1-1979 of her own accord after having received the emoluments due to her.

Issue No. 4

11. No relief by way of any amount of suspension allowance is payable to the applicant for the period 6-10-1978 to 6-6-1979 as claimed by her. Accordingly by this petition under section 33-C (2) of Industrial Dispute Act stands rejected. But I leave the parties to their respective costs.

The case file be sent to the Labour Department, Himachal Pradesh Government Secretariate, Simla for their information and necessary action.

Announced: H. D. KAINTHLA,
Dated June 22, 1980. Presiding Officer,
Labour Court, State of Himachal Pradesh
Camp at Solan.

BEFORE THE PRESIDING OFFICER LABOUR COURT STATE OF HIMACHAL PRADESH CAMP AT SOLAN (H.P.)

CASE NO. of 1980

Shri Rattan Chand Chauhan son of Shri Nagia Ram, resident of village Maive, P.O. Ukhli, Tehsil and District Hamirpur (Himachal Pradesh) ...Applicant.

Versus

M/s Purolator India Ltd., Parwanoo, District, Solan ...Respondent.

Application under section 33c (2) of the Industrial Dispute Act.

JUDGEMENT ORDER:

The applicant is a worker of the respondents Company. He has claimed Rs. 1200 on account of suspension allowance from 6-10-1978 to 6-6-1979 Rs. 300 for 3 months at the rate of 1/2 of the normal wages and Rs. 900/- for six months at the rate of 3/4 of the wages.

2. The respondents have denied the liability to pay any suspension allowance to the applicant on the ground that he did not fulfil the requirements of the standing orders and the instructions given to him remain in the station and mark himself present in the

attendance register once a day during the suspension period. The applicant left the station without permission and even was not available for the domestic inquiry. He only marked his attendance from 6-10-1978 to 12-10-1978, 14-10-1978, to 16-10-1978, 18-10-1978 to 21-10-1978. Thereafter, he did not present himself for marking his attendance. He was entitled to suspension allowance for the above period of his marked attendance is for which he duly received Rs. 48.48 paise. Nothing more due. It is further pleaded that the applicant was generally employed at Ropar.

3. The applicant put in replication and has contended that he had gone to the factory for marking his attendance but he was told that he need not mark his presence. that he only left for his home in July 19, 1979 and from 7-8-1979 he has been residing at Kalka near parwanoo.

4. For resolving the controversy between the parties the following issues came to be formed:-

- (1) Whether the applicant is entitled to suspension allowance at the rate of 50% for first three months and thereafter at the rates 75% OPD?
- (2) Whether the applicant did not present himself for making presence and left the station on 22-10-1978 of his own and so is not entitled to any suspension allowance. OPR?
- (3) Whether the applicant was asked by the respondents that he need not mark his presence and it was only in July 1979 that the applicant had left for his home and has returned to the station of employment from 7-8-1979 OPP?
- (4) Relief.

FINDINGS ON THE ISSUES

Issue No. 1

5. The respondents admit that their employees are entitled to suspension allowance at the rate of 50% for first 3 months and 75% thereafter. So this issue is held in the affirmative.

Issue No. 2 and 3

6. The applicant only made his own statement as a witness and did not produce any other evidence, while on the side of the respondents S/Shri Nand Kumaran, Personal Officer and Deep Singh Gujral, Production Manager of the respondents company (RW-1 and RW 2) have been examined.

7. The applicant states that during the inquiry initially for 6 or 7 days of the suspension period he had been marking himself present in the factory attendance register but thereafter, Shri Deep Singh Gujral (RW 2) asked him not to sign the attendant register and become the member of the workers' union organised by the management. He further deposes that when he refused to fulfil the wishes of RW 2 he was not allowed to sign the register of attendance. This version of not allowing the applicant to sign the register as stated by him in his evidence is very much at variance than stated by him in the replication. In cross-examination he admits that he had received the suspension allowance for the days he had marked presence in the register. He also admits that his attendance marked in the register per copy Ex.RD is correct. He did not make any written replication to the management that he was not being allowed to mark his attendance in the factory register. He makes a contradictory statement regarding his participation in the inquiry proceedings when he says that he had been present during inquiry along with other workers and then further states that he was not allowed to participate even in the inquiry and so he did not attend the same. But he did not make any complaint regarding the management's refusal for his attendance at the inquiry to any Government department or management.

7. The applicant neither stated himself in evidence that he had been living in Kalka from July, 1979 as alleged by him in his replication nor he has produced any witness to that effect. There could not be any depth of witness of the locality where the applicant was so residing in Kalka.

The Commission to produce any such witness shows that his statement is incorrect. It is not easy to believe the applicant of his own words without any corroborative evidence when the same could be easily produced.

8. On the side of the management Shri Nand Kumaran (Personal) Officer deposed that the applicant sent an application of his illness dated 26-10-1978 which is Ex. RW1/A under registered cover Ex.RW1/B. In this application it is stated that he may be given leave till he gets himself restored to good position (i.e. health). No period has been mentioned for availing this sickness leave. He is specific in stating that the applicant had been attending till 21-10-1978 his office for marking his presence but thereafter, he did not appear and had not appear and had only sent an application dated 26-10-1978.

9. This witness further states that Shri Deep Singh Gujral, Production Manager (RW 2) had nothing to do with the marking of attendance of the applicant. Per memo copy Ex.RB dated 25-9-1978 received by him on 6-10-1978, he was given instructions regarding suspension allowance and daily attendance at 3.15 P.M. before the Personal Officer and for attending the inquiry being held against him.

10. Shri Deep Singh (Production Manager) of the respondent company (RW 2) has deposed that he was nothing to do with the marking of the attendance of the applicant and that the letter had failed to attend the inquiry proceedings from 28-10-1978 onwards.

11. The Applicant has not admitted that he had been working at Ropar Construction Company c/o Raj Hotel during the inquiry proceeding and suspension period but in other statement made by him as PW 5 in a case of another worker dated 11-8-1979 he had stated that he resided at his village and had come out also to earn his livelihood during the suspension period. The copy of the said statement is RW 2/A. This confirms his absence from the place of work during suspension period.

12. From the above evidence of the parties, especially the sickness leave application Ex.RW1/A read with entire evidence I come to the conclusion that the applicant had left his place of work at Parwanoo during the suspension period after 21-10-1978 and therefore, could not possibly get himself marked present in the factory register. So both these issues go against the applicant and he is held not entitled to any more amount of suspension allowance by beyond what he has already received from the respondents.

Issue No. 4

RELIEF

This application is without any merit and hereby dismissed. However, I leave the parties to their respective costs.

The case file be sent to the Secretary Labour Department, Himachal Pradesh Government Simla-2 for further action at their end.

H. D. KAINTHLA,
Announced: Presiding Officer,
Dated June 22, 1980:
Labour Court for State of Himachal Pradesh,
at Camp Solan.

BEFORE SHRI H. D. KAINTHLA, PRESIDING OFFICER, LABOUR COURT, FOR STATE OF HIMACHAL PRADESH AT CAMP SOLAN

CASE NO. 2 OF 1979

1. Shri Jeet Singh son of Shri Kalyan Singh, 2. Subash Chand s/o Bachiter Singh, 3. Vimal Kumar s/o Manohar Lal, 4. Amar Nath s/o Kanshi Ram, 5. Puran Bahadur, 6. Dabu Ram, 7. Pyare Lal s/o Ram Parshad, 8. Maiji Ram, 9. Karnail, 10. Dwarka Dass, complaints c/o Hem Raj Sharma, President Parwanoo, Himachal Pradesh Unit, Himachal Pradesh Industries Employees Union (Reg.), Parwanoo, Himachal Pradesh. Applicants.

Versus

M/s. Purolator India Ltd., 14, Sector-1, Industrial Area Parwanoo-173220 (H.P.) Respondents.

Application under section 33-A of Industrial Disputes Act

JUDGEMENT ORDER:

The above noted 10 applicants have filed this application before this Labour Court. The application is dated 20-12-1978. The letter of Authority for representing this application before the Labour Court, by Shri Ram Swarup, Gian Chand Thakur, Kameshwar Pandit, Baba Kartar Singh, J. C. Bhardwaj and Jaswant Singh is dated 25-6-1979.

2. The applicants claimed themselves to be workmen of the respondents company. They complain that Industrial dispute between workman and respondents existed and reference dated 4-10-1978 in that behalf had been made in this Labour Court. Thereafter, on 6-10-1978 the applicants were dismissed from services by the respondents without issuing any order in writing or assigning any reason. No opportunity of hearing was afforded to them. In this way the respondents management have altered the condition of the services to the prejudice of the complaints workmen and have dismissed than for the alleged misconduct connected with the said dispute. No permission in writing was secured by the respondents either from this court or from the Conciliation Officer. Thus, violation of section 33 of Industrial Dispute Act, 1947 is alleged to have been committed.

The respondents put in written statement to this application stating that none of the applicants were employed by them at any time. Regarding representative character of the Union Parwanoo Unit H.P. Industries Employees Union, Parwanoo, has been challenged that there is no such employees union at Parwanoo with which the respondents workers may be associated. It may be Union of Employees of some other concerns. No question of dismissal or permission of the labour Court for any such act of dismissal arose when the applicants were not the worker of the respondents.

4. The above allegations and counter allegation between the parties gave rise to the following issues:—

- (1) Whether the applicants were employees (Workmen of the respondents establishment) on or before 4-10-1978 OPP?
- (2) Whether the petitioners were not allowed to join duties on 6-10-1978, if so to what effect, OPP?
- (3) Whether there has been contravention of Sec.33 of the I.D. Act by dismissal of the applicants workmen for the alleged mis-conduct connected with the dispute, OPP?
- (4) Whether the applicants were dismissed during conciliation proceedings or I.D. Act proceedings before the Tribunal. If so to what effect OPP?
- (5) Relief.

FINDINGS ON THE ISSUES

Issue No. 1

5. It is significant to state that out of the 10 applicants only two appeared before the Labour Court in support of this application to make their statements. The verification part of the application was not subscribed and signed by any of the applicant. Only S/Shri Jeet Singh and Vimal Kumar subscribed their signatures by way of verification of this application on 11-8-1979. Therefore, the application was taken to be valid on their behalf and there had been no proper presentation of the application on others behalf. Nor they had appeared in support of the same before this Court.

6. Coming to the merits of this issue, the two remaining applicants S/Shri Jeet Singh and Vimal Kumar claimed to have been employed from 1st May, 1978 and 30-4-1978 respectively by the respondents. They further state that they had been working for a couple of months till September, 1978 when there was a general strike in the factory of the respondents at Patwanoo. They that have been receiving their salaries for this period and marked themselves present on the attendance register of the respondents company factory at Parwanoo. Both of them had been working in the store section of the factory and

that they were not allowed to join the duties after strike was called off on 6-10-1978.

7. The applicants have failed to produce any appointment letter or contract of their employment with the respondents.

8. They produced Shri N. D. Sharma, Cashier of the respondents factory (AW-3) with a view to proving the payment of salaries made to them by the respondents factory management and for their marked attendance in the attendance register or the workers maintained in the factory. In the relevant record relied by the applicants there was no entry regarding the two applicants S/Shri Jeet Singh and Vimal Kumar in respect of payment of monthly wages to them for any month between April and October, 1978. Nor their attendance was found marked in the register. This witness had brought not only pay-roll payment-sheets but cash-book and ledger registers also. But the entire record was conspicuous by absence of the applicants entries in the same.

9. The other evidence examined by the two applicants is comprised of the statements of S/Shri Ram Saroop and Rattan Chand (AW 4 and 5) the other workers of the respondents factory. They are the suspended workers against whom disciplinary proceedings have been going on and dismissal recommended. Both these witnesses are associated with the workers union activities. One as Vice-President and the other as Propaganda Secretary. Their evidence cannot be said to be very independent and reliable they being Union office holders. Merely their statements cannot go to establish that the two applicants were the workers of the respondents when there is no documentary proof in that behalf which ordinarily and usually has to be there in the matter of such employments. In the absence of documentary proof especially the appointment letter itself. Sufficient and independent evidence of co-workers of the factory should have been produced which is lacking in this case. Therefore, I hold that the applicants are not the workers of the respondents factory, nor they have been such worker in 1978 from April/May to September/October, 1978 therefore, this issue is held against the applicants.

10. In view of the above findings on issue No.1 there is no purpose in going into other issues in the case. I, therefore, find this application merit-less and is hereby dismissed. No order as to costs.

11. The file be sent to the Labour Department of the P&P Government Secretariat, Simla for further action at their end.

Announced: H. D. KAINTHLA,
Dated 24th June, 1980. Presiding Officer,
Labour Court for State of Himachal Pradesh.

**JIN THE LABOUR COURT FOR THE STATE OF
HIMACHAL PRADESH AT SOLAN (HIMACHAL
PRADESH)**

CASE No. 20/1979

Shrimati Sunita Sharma daughter of Shri Som Dutt Sharma, Sarahan, Tehsil Pachhad ..Applicant.

Versus

M/s Purolator India Ltd., Parwanoo, District Solan. ..Respondent.

Application under section 33:C(2) of Industrial Dispute Act.

JUDGEMENT ORDER:

The applicant as worker of the respondents company alleges that she was suspended from service with effect from 6-10-1978. That the respondents have not paid the applicant subsistence allowance at the rate of 1/2 of the normal wages for three months amounting to Rs. 300, also the applicant has not been paid allowance at the rate of 3/4 of the normal wages from 6-10-1978 to 6-6-1979 for six months amounting to Rs. 900. Thus a total claim of Rs. 1200 is made against the respondents.

2. The respondents Company has denied the claim of the applicant pleading that the applicant had received and settled her account in full and final settlement. In the domestic enquiry held against the applicant the allegations were duly provided therefore, the applicant requested herself to resign from the service of the company and the request was accepted when full and final accounts were also settled on 11-1-1979 with the applicant.

3. Regarding the payment of suspension allowance it is alleged that the same was paid to the applicant as permissible under the standing orders of the Company and for the applicant reported her presence in station. Thus nothing remains to be paid by the respondents.

4. In the replication the applicant alleged that no fair and legal enquiry was conducted against her. Regarding suspension allowance amount it was alleged that nothing was received by the applicant.

5. The parties joined the following issues in the case:-

- (1) Whether the applicant is entitled to suspension allowance at the rate of 50% for first three months and thereafter at the rate of 75% OPP?
- (2) Whether the applicant resigned on 11th January, 1979 after having received all the emoluments. OPP?
- (3) Whether the applicant was made to sign blank papers and other documents and made to resign by exercising under influence and coercion on the side of the respondents. OPP?
- (4) Relief.

FINDING ON THE ISSUES

Issue No. 1:

6. The respondents admitted that according to standing orders the rate of suspension allowance is 50% of the emolument for the first three months and thereafter at the rate of 75%. So the issue is held for the applicant.

Issue No. 2:

7. Ex.RB is the resignation letter submitted by the applicant Smt. Sunita dated 11-1-1979 which was recommended for acceptance *vide* order dated 12-1-1979. Shri C.M. Khera (RW 2) has proved the resignation Ex. RB being received by him and recommended for acceptance to the General Manager. He denied that any undue influence was exercised by any one to make the applicant putting her resignation.

8. Ex.RC was issued under the signature of the Manager Shri R. Chawla to the applicant dated 8-2-1979 wherein the resignation of the applicant was formally accepted and it was also pointed out that in the enquiry held against her the allegations had been duly proved. The applicant was also asked to clear her accounts immediately with the office. Ex.R.D., dated 8-2-1979 is the cash voucher for Rs. 120 the amount of the bonus for the year, 1977-78 in full and final payment on resignation received by the applicant.

9. Ex.RA is the charge-sheet which was issued to the applicant during enquiry proceedings.

10. The applicant admits that Ex.R.A. charge-sheet was served on her. About Ex.R.B. resignation she says that it was signed by her under the directions and dictation of the officers of the respondent. She admits the receipt of Rs. 120 on account of bonus per Ex.R.D. and resignation acceptance letter Ex.R.C., Ex.R.D. carries the signature of the applicant Smt. Sunita.

11. The applicant received full and final payment of her dues on 8-3-1979 but did not lay any claim regarding the suspension allowance, which she admits to have received for a few days say 15 to 20 days only, till 6-7-1979 when this application was made per form 'K' -3.

12. From the above I hold that the applicant resigned on 11-1-1979 afterwards on 8-2-1979 received all the emoluments. The issue is thus, held against the applicant.

Issue No. 3:

13. There is no reliable evidence except vague allegations made by the applicant herself that she was made to execute resignation at the dictation of the respondent's officers. She even herself does not allege that she was made to sign blank papers. The issue is held against the applicant.

Relief

In face of the above findings on the issues the applicant does not get any relief and this application stands dismissed. The file may be forwarded to the Labour Department of the State Government through Deputy Secretary Labour Himachal Pradesh, Simla.

Announced:
Dated June 10, 1980.

H.D. KAINTHLA,
Presiding Officer,
Labour Court, Himachal Pradesh at Solan.

Before the Industrial Tribunal Shri H.D. Kainthla, District and Sessions Judge, Solan Sessions Division, for State of Himachal Pradesh Circuit at Solan

CASE NO. 50 OF 1979

1. Anita Sharma, 1. Sunita Sharma Complainants

Versus

M/s. Purolator India Ltd., 14, Sector-1, Industrial Area, Parwanoo through its Manager Respondent.

COMPLAINT UNDER SECTION 33-A OF INDUSTRIAL DISPUTE ACT

AWARD-JUDGEMENT

In this complaint under section 33-A of Industrial Dispute Act (I. D. Act) the two complaints in their capacity as workman of the respondents have alleged that their service conditions were changed in their prejudice during the pendency of industrial dispute reference before this tribunal. This Section 33 of I. D. Act was violated giving rise in this complaint under section 33-A (I. D. Act).

2. The change of service conditions alleged is that the respondents indulged in unfair labour practice in getting resignation from the complaints which were not of their sweet will and they were victimized by way of suspension from service and stopping supervision allowance allegedly. Further grievance is made of holding domestic inquiry in a partial and unjust manner against them and picking them up for disciplinary action by adopting discriminatory policy.

3. The respondents have raised a few technical objections regarding the maintainability of this complaint showing the irregularity members having branch of the Trade Union as alleged by the complaints.

4. On merits it is stated that the complaints resigned from service during the period of suspension voluntary. That it was after some six months that they came up with a plea of obtaining signature on some blank papers and by exercising undue influence. This is alleged as an after thought on their part while as a matter of fact, instead of inviting dismissal as a result of domestic inquiry, they preferred to resign. Moreover, these allegations of procuring the resignation without consent are subject matter of applications No. 26 and 27 of 1979 filed under section 33-C (2) I. D. Act before this labour court. That therefore, these complaints cannot repeat the same subject matter. Regarding suspension order dated 29-9-78 on the basis of charge-sheet dated 25-9-78 it is contended that these acts are prior to the forwarding of the reference to the industrial dispute on 4-10-78 by the Govt., to this Tribunal. The inquiry proceedings are said to have been held in a fair and legal manner. The complainants resigned only when they found that the misconduct has been proved against them in the inquiry held and it was proper for them to resign.

5. It is further stated that the complainants have failed to make any specific allegation to show as to how and in what manner there was contravention of Section 33 of I.D. Act and so the complaint was not maintainable and is liable to be dismissed, summarily.

6. The respective contentions of the parties resulted in the formulation of the following issues :—

1. Whether no branch of any registered Trade Union can function under the Law. OPR.
2. Whether the management respondent altered the service conditions of the applicants to their prejudice by victimizing them for the alleged mis-conduct connected with the dispute. OPP.
3. Whether the respondent obtained resignation from the applicant by force and under duress amounting to unfair labour practice. OPP?
4. Whether suspension of the applicants from their service and stopping suspension allowance amount to violation of service condition under section 33 of the I.D. Act. OPP.
5. Whether the management adopted a discriminatory policy for taking disciplinary proceedings against the applicants being Trade Union active workers. OPP?
6. Whether the question of resignation being taken under duress is the subject matter of pending applications No. 26/79 and 29/79 and of so to what effect OPR.
7. Whether the allegations made in the application make out a case of change of condition of service as contemplated under section 33 I.D. Act including those under issue No. 4. above.
8. Relief.

FINDINGS ON THE ISSUES

Issues No. 4 and 7 have been taken up as preliminary issues for decision.

Issue No. 4:

7. Section 33 of the I.D. Act bars any detrimental action by the employer by way of altering the condition of service to the prejudice of the workmen during the pendency of an industrial dispute. It has been contended on the side of the respondents that taking of disciplinary proceedings for any misconduct and holding inquiry is a necessary incidence of service. The certified standing orders of the company order 10 relate to discipline and disciplinary actions. Its B and C part cover procedure and suspension pending disciplinary action. Therefore, it is full assert to that the suspension of the complaints from service during disciplinary action and latter stopping suspension allowance under rules from the date of the finding the misconduct proved and tendering resignation by the employees without dismissal will be a matter of altering the existing conditions of service. The issue is held against the acomplaints.

Issue No. 7

8. The applicants Anita Sharma and Sunita Sharma have raised two main issues in this application which according to them amount to change in condition of service. One is suspension from service and stopping of suspension allowance which has been considered about under issue No. 4. The second issue raised is that the respondent management ordered and held unjust and unfair domestic inquiry with view to victimize the workers. This again is further stage in the same matter of disciplinary proceedings. When the disciplinary proceedings of misconduct are involved, it is necessary to consequence is that suspension of the employee may be ordered and thereafter domestic inquiry has to follow. So this also is no way change in the service conditions of the applicants.

9. For the findings this application under section 33-A of I.D. Act is not maintainable and is rejected without any order regarding costs.

Announced.

H. D. KAINTHLA,

Industrial Tribunal, for State of H.P.,

Dated 20th July, 1980.

BEFORE THE INDUSTRIAL TRIBUNAL (SHRI H.D. KAINTHLA, DISTRICT AND SESSIONS JUDGE, SOLAN SESSIONS DIVISION) FOR THE STATE OF HIMACHAL PRADESH CIRCUIT AT SOLAN

CASE NO. 52 OF 1979

Mrs. Suman Khosla Complaint Versus M/s Purolator India Limited, 14, Sector-I Industrial Area, Parwanoo, through its Manager. Respondents.

Complaint under section 33-A of Industrial Dispute Act.

AWARD JUDGEMENT:

The complaint Mrs. Suman Khosla as a worker of the respondents company has brought this complaint under section 33-A of the Industrial Dispute Act (I.D. Act). She alleges that during the pendency of reference before this Tribunal between the General body of the workmen and the respondents company. The respondents had altered the service conditions to the prejudice of the complainant by victimizing for misconduct connected with the dispute. The complainant being active Trade Union worker was victimized by way of suspension and stopping suspension allowance illegally and holding partial and unjust domestic inquiry in revengeful spirit.

2. The respondents have stated in their written-statement to the complaint that the applicant was charge-sheeted vide letter dated 25-9-1979 and suspended vide letter dated 29-9-1979. The enquiry against her was held in abettia. After this inquiry denovo inquiry was ordered in view of the fact that the intimation of inquiry was not properly served on her. In the second inquiry the applicant participated and inquiry findings were against her. The respondents decided to dismiss her from service and they approached this Tribunal for permission to dismiss her by making application registered as with No. 34 of 1979 before this Tribunal. They further allege that no action in contravention of section 33 of I.D. Act has been taken by them and this application deserves to be dismissed. That merits of the inquiry were against the complainant are to be looked into in their application No. 34 of 1979. It cannot give rise to a complaint under section 33-A of I.D. Act. Suspension and stopping of suspension allowance are also matters in issue in the said application No. 34 made by the respondents. Some other technical objections have also been raised against the maintainability of this complaint.

3. The following issues were framed in the case to decide the merits of the contentions raised by the parties :—

- (1) Whether no branch of any registered Trade Union can function under the law. OPR?
- (2) Whether the management respondent altered the service conditions of the applicant to their prejudice by victimizing them for the alleged misconduct connected with the dispute. OPP?
- (3) Whether the respondent's act of suspension and stopping suspension allowance of the applicant by way of victimizing during and after enquiry violates service condition attracting section 33-A of the I.D. Act *inter alia* other allegations made in this application?OPP.
- (4) Whether the management adopted a discriminatory policy for taking disciplinary proceedings the applicants being Trade Union active worker. OPP?
- (5) Whether in view of the previous similar application No. 2 of 1979 having been dismissed as withdrawn this application still lies. OPP (Onus objected).
- (6) Whether the application of the respondent for permission to dismiss the applicant being pendency bars this application. OPP?
- (7) Relief.

FINDINGS ON THE ISSUES

Issue N. 3 and 6 were taken as preliminary legal issues in the case which I propose to decide.

Issue No. 3

4. The complainant has pointed out that by way of victimization she was suspended from service and suspension allowance was also illegally stopped. Therefore, the service conditions of the applicant/complainant have been altered and sec. 33-A of I.D. Act, is attracted.

5. Section 33 of the I.D. Act bars any detrimental action by the employer by way of altering the conditions of service to the prejudice of the workman during the pendency of industrial dispute. It has been contended on the side of the respondents that taking of disciplinary proceedings for any misconduct and holding inquiry is a necessary incidence of service. The certified standing orders of the company, order 10 relates to discipline and disciplinary actions. Its B and C parts cover procedure and suspension pending disciplinary action. Therefore, it is futile to assert that the suspension of the complaint from service during disciplinary action and later stopping suspension allowance under rules from the date of finding the misconduct proved and moving the industrial tribunal for permission to punish the employee by dismissal will not be a matter of altering the existing conditions of service. The issue is held against the complainant.

Issue No. 6

6. Merits of the suspension and punishment proposed by way of dismissal or otherwise, would be seen and decided in the respondents application for seeking permission from the Tribunal i.e. in case No. 34 of 1979. Therfore, this complaint is redundant in presence of the respondents application for permission to dismiss the complaint and this complaint is barred.

7. For the findings on issues No. 3 and 6 this complaint is misconceived and has to be dismissed without going into the merits of other issues raised in the case.

8. Accordingly this complaint matter by way of award is answered in the negative. The parties, however, are to incur their respective costs.

Announced:
Dated 20th July, 1980.

H. D. KAINTHLA,
Industrial Tribunal,
(District and Sessions Judge,
Solan Session Division) for State of Himachal Pradesh,
Circuit at Solan.

BEFORE THE PRESIDING OFFICER LABOUR COURT FOR HIMACHAL PRADESH

CASE NO. 51 OF 1979

1. Ram Saroop, (2) Gian Chand and (3) Amar Nath
Applicants.

Versus

M/s Purolator India Ltd., Sector-1, Industrial Area
Respondents.

Application under section 33-A of the Industrial Disputes Act, 1947 (I.D. Act)

ORDER:

The applicant are suspended workers of the respondents company against whom disciplinary proceedings through the Domestic Tribunal were taken.

(2) Before this Tribunal, there is a Reference regarding different claims of pay scales, bonus, uniform allowances etc., covering the entire body of the workers of the respondents company.

(3) The applicants in this application have made a grievance mainly against the enquiry held for disciplinary proceedings against them being illegal. They allege that no enquiry according to the legal procedure was held.

(4) The prespondents on the other hand moved this Tribunal for granting permission to dismiss the applicants on the proved misconduct in the enquiry held against them. The respondents have stoped paying suspension allowance to the applicants from the date of making application to this Tribunal for approval of their dismissal.

(5) The applicants main grouse is tow-fold, first that be resorting to disciplinary proceedings and suspending the applicants and then stopping the suspension allowance, the respondents have altered the conditions of service to their prejudice by way of victimization. Secondly, stoppage of suspension allowance, that is, wages, without giving them one month's wages in lieu of notice in advance, is violation of section 33(2)(b) of the I.D. Act.

(6) The respondents have refuted the applicants allegations on preliminary legal ground that their suspension pending disciplinary action allegedly by way of victimization or their allegations do not constitute any contravention of section 33, so as to entitle the applicants to file an application under section 33-A of the I.D. Act.

(7) It is further stated that the contentions made in para 11 and 12, are allready subject matter of application dated 27-6-1979 (No. 24 of 1979) which has already been argued for legal objections.

(8) Regarding the allegations of unfairness of the enquiry etc., per application paragraphs 4 to 11, are matters to be considered and decided in application No.25/79, wherein the respondents are seeking express permission to dismiss the applicants.

(9) On the respective contentions raised by the parties the following issues were framed:—

- (1) Whether the allegation made in the application constitute contravention of section 33 of the I.D. Act so as to attract Sec. 33-A of the I.D. Act ? OPP
- (2) Whether this application is maintainable despite the fact that a similar application was dismissed as withdrawn earlier?OPP
- (3) Whether the application of the respondent, No.25 of 1979 for permission to dismiss the applicants contained facts and allegations covered by paragraph 3 to 11 of this petition? If so to what effect ? OPR
- (4) Whether the issues covered by paras 11 and 12 of this application are the subject matter of an earlier application dated 23-6-1979, which has been finally argued and the award is awaited, and if so to what effect ? OPR
- (5) Whether the respondent resorted to victimization of the applicants as alleged in the application? OPP
- (6) Relief.

Issue No. 1.

Being a legal issue going to the root of the matter was taken up as preliminary issue for arguments and decision.

Findings on Issue No. 1:

(10) As soon above in the contentions of the respondents the matters agitated in this application are also subject matter of ealier applications pending between the parties.

(11) Regarding the suspension of these very applicants during the pendency of the reference case of the general industrial dispute between the entire body of the respondent-company's workers and the respondents and stoppage of suspension allowance after making the application for getting the permission of the Tribunal for the applicants' dismissal, are matters of disciplinary type and do not amount to change of conditions of service attracting section-33-A of the I.D. Act.

(12) I have already passed a detailed and reasoned order for rejecting such as application under section 33-A of the I.D. Act of these very applicants No. 24/79. For those very consideration and reasons, this application has also to be rejected as untenable.

(13) In fact, this application is un-necessary duplication. No contentions raised in this application can give cause of action for availing section 33-A of the I.D. Act by the applicants. The main matters pending between the

parties are the subject matter of separate cases. In short, application No. 25/79, filed by the respondents for seeking express permission to dismiss the applicants will be covering all these issues to which reference has been made in this application. That is the main dispute between the parties which will decide not only the fairness, propriety taken against the applicants but also the validity of the claim of suspension allowance and wages etc. Therefore, I hold this issue against the applicants.

(14) In view of the above finding, I dismiss this application without any order as to costs.

Announced:
February 9, 1980.

H. D. KAINTHLA,
Presiding Officer,
Labour Court for Himachal Pradesh, Simla,
Camp at Solan.

नोक निर्माण विभाग

अधिसूचनाएं

वर्तमान: राज्यालाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा नरकारी व्यय पर सार्वजनिक प्रयोजन* भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरण में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन* के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों, जो इससे सम्बन्धित हैं या हो सकते हैं, की जानकारी के लिये भू-अर्जन अधिनियम, 1894 की धारा 4 के उपकर्मों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए, राज्यालाल, हिमाचल प्रदेश इस समय इस उपकरण में कार्यरत सभी अधिकारियों, कम्चारियों और श्रमिकों को इलाके में इसी भी भूमि में प्रवेश करने तथा मर्केट करने और उस धारा द्वारा अपेक्षित अथवा अनुमत मध्ये अन्य कार्यों को करने के लिये सहर्ष प्राधिकार देते हैं।

4. कोई भी ऐसा हितवढ़ व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपित हो तो वह इन अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, मानव हिमाचल प्रदेश लोक निर्माण विभाग, के सम्मुख अपनी आगति दायर कर सकता है।

भाग 2 - वैद्यानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मंजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

INDUSTRIES DEPARTMENT NOTIFICATIONS DECLARATION UNDER SECTION 24 OF THE H.P. STATE AID TO INDUSTRIES ACT, 1971

Dharamsala, the 26th February, 1981

No. Ind. (Loans)L/RIP/774.—Whereas a notice was served on Shrimati Kamlesh Patrwal w/o Shri J.C. Patrwal, Prop. Dev. Bhumi Printing Press Suraj Kund Road, Kangra, Tehsil and District Kangra, on 26-7-1977 under section 23 of the Punjab/H.P. State Aid to Industries Act, 1935/71 calling upon the said Shrimati Kamlesh Patrwal to pay to me the sum of Rs. 10,000 plus 1,100 interest with interest thereon at the rate of 13% per annum from 2-5-1977 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 10,000 plus Rs. 1,100 interest with further interest thereon at the rate of 13% per annum from 26-5-1978 till date of final payment is due from the said Shrimati Kamlesh Patrwal said that property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his

*नामत: जामली जय नगर सड़क निर्माण हेतु

संख्या लो 0 निं 0 (ब) -1 (1)-4/80-सोलन, शिमला-2, 6 अप्रैल, 1981
विस्तृत विवरण

जिला : सोलन

तहसील : अर्की

गांव	खसरा नं 0	क्षेत्र	
		वीधा	विस्वा
1	2	3	4
टटा	121/110	11	8
	120/110	0	9
	113	6	13
	115	0	4
	114	0	14
	111	1	2
किता ..	6	20	10

*नामत: ममलीग डोमेहर सड़क निर्माण हेतु

संख्या लो 0 निं 0 (ब) 9 (1)-4/81, शिमला-2, 7 अप्रैल, 1981

विस्तृत विवरण

जिला: सोलन

तहसील: कन्दाघाट

गांव	खसरा नं 0	क्षेत्र	
		वीधा	विस्वा
1	2	3	4
ममलीग	912/1	0	3
	913/1	0	6
	1167/2/1	0	9
किता ..	3	0	18

आदेश द्वारा,
हस्ताक्षरित,
सत्रिव।

name including book debts, stocks shares and premises, machinery and equipment whether existing or to be purchased with the aid of loan or part thereof and any other personal security of the loanee or sureties Sarvshri Madho Ram and Madho Ram.

Sd/-
General Manager,
District Industries Centre,
Kangra at Dharamsala.

DECLARATION UNDER SECTION 24 OF THE H. P. STATE AID TO INDUSTRIES ACT, 1971

Dharamsala, the 26th February, 1981

No. Ind. (Loans)L/RIP/778.—WHEREAS a notice was served on Shri Triyesh Verma s/o Shri Ran Singh, Village Gang Bhairon, P.O. Bagli, Tehsil and District Kangra on 11-8-1977 under section 23 of the Punjab H.P. State Aid to Industries Act, 1935 calling upon the said Shri Triyesh Verma to pay to me the sum of Rs. 5,000 plus Rs. 625 as interest with interest thereon at the rate of 13% per annum from 31-8-1977 till date of final payment and whereas the said sum has not been paid in full, I hereby declare the sum of Rs. 5,000 plus Rs. 625 interest with further interest thereon at the rate of 13% per annum from 31-8-1977 till date of final payment is due from the said Shri Triyesh Verma

and that property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stocks shares and premises,

machinery and equipment whether existing or to be purchased with the aid of loan or part thereof and any other personal security of the loanee or securities S/Shri Taryesh Verma.

Sd/-
General Manager,
District Industries Centre,
Kangra at Dharamsala.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेंशल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश हस्तांत्रित किया गया है।

शिक्षा विभाग

अधिसूचनाएँ

शिमला-171002, दिनांक, 19 फरवरी, 1981

सं 0 1-596/74-एजू-ए 0.—भारतीय संविधान की धारा 309 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश, शिक्षा विभाग के अधीन के राज्यपाल वर्ग II के नियुक्ति एवं पदोन्नति नियम, 1979 जो कि इस विभाग की अधिसूचना संख्या 1-450/72-एजू-ए दिनांक 24-1-1981 द्वारा जारी किए गए थे में महर्यन्नित्यनिवित संशोधन करने की अनुमति प्रदान करते हैं।

Column 11:

1. *Short title and commencement.*—(i) These Rules may be called Himachal Pradesh Education Department Recruitment and Promotion Rules for the post of Superintendent (Class-II Gazetted) First Amendment Rules, 1979.

(ii) They shall come into force from the date of issue of this notification.

2. *Amendment to column 11 of annexure.*—For existing entries in Column No. 11 of the Annexure I to the Himachal Pradesh Education Department Recruitment and Promotion Rules for the posts of Superintendents Class II Gazetted hereinafter referred to as the "said rules", the following may be substituted:—

"By promotion from amongst the Superintendents (Non-Gazetted) in the pay scale of Rs. 400—650 with two years regular or *ad hoc* service or both as such."

3. The following foot note may be added, after foot note No. 2 in the said rules:—

3. *Ad hoc* service shall be taken into account for the purpose of promotion/confirmation:

Provided that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and pleased above the junior persons in the field of consideration:

Provided further that all incumbents to be considered for promotion & confirmation shall possess the minimum qualifying service of at least 3 years or all prescribed in these rules whichever is less:

Provided further that where a person becomes in-eligible to be considered for promotion/confirmation on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

4. *Departmental Examination.*—Every member of the service shall pass a departmental Examination as prescribed in the Departmental Examination Rules within the probation period or within two years from the notification of these rules whichever is later failing which he shall not be eligible to:—

- (a) cross the efficiency bar next due;
- (b) confirmation in the service; and
- (c) promotion to the next higher post;

Provided that if a member becomes otherwise eligible for promotion, within the period mentioned above he shall be considered for promotion and if otherwise found fit shall be promoted provisionally subject to his passing

the departmental examination. He may be reverted if he fails to pass the same:

Provided further that an officer who has qualified the departmental examination in whole or in part prescribed under any other/rules before the notification of these rules, shall not be required to qualify the whole or in part of the examination as the case may be:

Provided further an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the first March, 1976, shall not be required to qualify the departmental examination prescribed under these rules.

An officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

The Government may, in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced to writing exemption in accordance with the departmental examination Rules, to any class or category of persons from the departmental examination in whole or in part.

Simla, the 20th March, 1981

No. 1-450/72-Edu-A.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to order that the following may be included as Rule 14 in Annexure I of the R&P Rules for the posts of Superintendents (Class II Gazetted) in the Education Department, Himachal Pradesh notified *vide* No. 1-450/72-Edu-A dated 24-1-1975 and subsequent amendment made *vide* No. 1-596/74-Edu-A dated 19-2-81:—

Rule 14.—Where the Govt. is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with the H.P. Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post."

2. The Government, Himachal Pradesh is further pleased to make amendments in the foot-notes appended to the aforesaid Annexure, as under.

Foot-Notes.—Existing foot-note No. 2 to be substituted by:—

2. A candidate for appointment to any service or post must be:—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of India origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and

Zanzibar, Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Himachal Government.

To be added below foot-note No. 3.

4. Upper-age limit for direct recruits will not be applicable to the candidates already in the service of the Government.

5. Upper-age limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the H. P. Government.

6. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

7. Age and qualifications for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well-qualified.

8. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the H. P. Public Service Commission as and when the number of posts under column 2 are increased or decreased.

9. Section for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus etc. of which will be determined by the Commission or a practical test.

10. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes eligible to be considered for promotion/confirmation, on account of the recruitment prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration of such promotion/confirmation.

11. The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporation/autonomous bodies at the time of initial constitution of such corporation/autonomous bodies, shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession will not, however be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporation autonomous bodies.

12. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Schedules Tribes/Backward Classes

issued by the Himachal Pradesh Government from time to time.

13. It will take immediate effect.

Sd/-
Secretary.

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATIONS

Simla-2, the 19th March, 1981

No FDS-A (3) 10-77.—In accordance with the decision of the Government as contained in office memo. No. Per (AP-II) A (3) 2/80, dated the 25th November, 1981 from the Deputy Secretary (Personnel) to the Government of Himachal Pradesh, addressed to all the Administrative Secretaries to the Government of Himachal Pradesh, the Governor, Himachal Pradesh is pleased to add the enclosed foot-notes to the Recruitment and Promotion Rules in respect of Himachal Pradesh Food and Supplies Department Class IV Services notified *vide* this Department notification No. I-13/71-Co-op (F&S) Dated 20-5-1972.

ANNEXURE

Foot Notes

1. A candidate for appointment to any service or post must be—

- (a) A citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian Origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d), and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.

3. Upper age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the H.P. Government.

4. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

5. Age and experience for direct recruits relaxable at the discretion of the Commission, in the case as candidates otherwise well qualified.

6. Provisions of columns 10 and 11 are to be revised by the Govt. in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.

7. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or

expedient by a written test the standard/syllabus of which will be determined by the Commission or a practical test.

8. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad-hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration.

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed, in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be in ineligible for consideration for such promotion/confirmation.

9. The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporation/autonomous bodies, at the time of initial constitution of such corporations/autonomous bodies shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

10. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

11. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or posts.

Simla-2, the 19th May, 1981

No. DF DS. A (3) 10/77.—In accordance with the decision of the Government as contained in office memo. No. PER (AP-II) A (3)-80, dated 25-11-1980 from the Deputy Secretary (Personnel) to the Government of Himachal Pradesh addressed to all the administrative Secretaries to the Government of Himachal Pradesh, the Governor, Himachal Pradesh is pleased to add the enclosed foot-notes to the Recruitment and Promotion Rules in respect of Himachal Pradesh Food and Supplies Department Class III Services notified *vide* department notification No. 1-15/ 69-F&S, dated 11-12-1973 and as amended from time to time.

ANNEXURE

Foot Notes:

1. A candidate for appointment to any service or post must be,—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or

(d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or

(e) a person of India origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi,

Zaire and Ethiopia with the intention permanently settling in India:

Provided that a candidate belonging to categories (b) (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificates has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Upper age-limit for direct recruits will not be applicable to the candidates already in the service of the Government.

3. Upper age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the H.P. Government.

4. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

5. Age and qualifications for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well qualified.

6. Provisions of columns 10 and 11 are to be revised by the Govt. in consultation with the Commission as and when the number of posts under column 2 are increased and decreased.

7. Where the Govt. is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.

8. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus etc. of which will be determined by the Commission or a practical test.

9. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad-hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes in eligible to be considered for promotion/confirmation on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

10. The employees of all the public sector corporations and autonomous bodies who happened to be Government servant before absorption in public sector corporations/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies shall be allowed age concessions in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporation/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial

constitution of the public sector corporations/autonomous bodies.

11. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

S. M. KANWAR,
Commissioner-cum Secretary.

WELFARE DEPARTMENT

NOTIFICATION

Simla-171002, the 2nd March, 1981

No. Kalyan-K (3)-3/78.—The Governor, Himachal Pradesh, is pleased to make the following rules for regulating payment of grant-in-aid to the Social Welfare Institutions, Voluntary Organisations and Social Welfare Advisory Board by the Welfare Department, Himachal Pradesh.

1. *Short title and commencement.*—(a) These rules shall be called the Himachal Pradesh Welfare Department (Grant-in-aid to Voluntary Organisations) Rules, 1981.

(b) These rules shall extend to whole of Himachal Pradesh and shall come into force from the date of their publication in Himachal Rajpatra.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

- (i) 'Annexure' means annexure to these rules.
- (ii) 'Voluntary Organisation or Institution' means a Voluntary agency/organisation or the institution, which renders welfare services or undertake schemes for the welfare and uplift of weaker sections of society e.g. Destitute, Aged, Infirm, women, children, physically handicapped, mentally handicapped, delinquents, crippled, scheduled castes, scheduled tribes and other backward classes, etc.
- (iii) 'Director' means Director of Welfare, Himachal Pradesh.
- (iv) 'Managing Committee' means the Committee constituted by the voluntary organisation/agency or institution for advising and management of various programmes undertaken by it.
- (v) 'Sanctioning authority' means the competent authority to sanction grant-in-aid under Himachal Pradesh Financial Rules, 1971 as amended from time to time.
- (vi) 'Governor' means Governor of Himachal Pradesh.
- (vii) 'Welfare Officer' means the District Welfare Officer incharge of various welfare programmes in the District.
- (viii) 'Government' means the Himachal Pradesh Government in the Welfare Department.
- (ix) 'Social Welfare Advisory Board' means Himachal Pradesh State Social Welfare Advisory Board.
- (x) 'Prescribed Audit Agency' means the agency referred in rule 6 (5).

3. *Eligibility.*—In order to be eligible for assistance to Government grant-organisations should be—

- (a) Registered under the Societies Registration Act, 1860 (Act XXI of 1960); or
- (b) A public trust registered under any law for the time being in force; or
- (c) A charitable company licenced under S. 25 of Companies Act, 1958; or,
- (d) Created under a special Enactment of Parliament State Legislature (including Social/Welfare Advisory Board) Provided that

Provided that the grants to be released under any scheme of the Central Government at any body or organisation shall be governed by such Rules, condition or pattern as may be prescribed by the Government of India.

- (a) The voluntary organisation should not be run for profit to any individual or group of individuals and should be non sectarian offering services to its beneficiaries irrespective of caste, colour or creed subject however, to the provisions in the constitution of India with regard to Scheduled Castes, Scheduled Tribes and instructions/orders of H.P. Government with regard to other backward classes issued from time to time.
- (b) It should have a regularly constituted Managing Committee, comprising officials and/or non-officials who should have a well defined objective.

In such committees at least the Welfare Officer of the concerned District shall be included.

- (c) It should have sufficient trained personnel and managerial ability of undertaking the schemes for which grant in aid has been applied with suitable field agencies at various levels in the Pradesh.
- (d) It should have personal resources and be in a position to raise matching contributions for maintaining present level of activities and meeting expenditure thereon.
- (e) Its work and financial position for the last 5 years should be reported as satisfactory by the Director Welfare. The condition of 5 years may be waived off by the Government at their discretion for sufficient given reasons.
- (f) It should not indulge in any anti-government activities or propaganda.
- (g) It should preferably be either branch of an All India Body or should be a State Level organisation, having established its activities in H.P.
- (h) It should be non-official and under non-proprietary management.
- (i) It should agree to abide by these rules as amended from time to time and instructions issued by the Government or the Director Welfare.

4. *Programmes/Schemes for which grant would be allowed.*—The grant shall generally be admissible for the following types of programmes. Subject to availability of funds and provision of scheme in departmental Plan/Budget; and when duly approved by the Government:—

- (a) *Women Welfare.*—For starting/running institutions/ societies for the welfare, care, protection, training and rehabilitation of destitute women, widows, wayward girls, women and girls in moral danger and victims of any sort, working women hostels, maternity services, various aspects of suppression of immoral traffic in women and girls, removal of dowry etc., etc.
- (b) *Child Welfare.*—For starting/running institutions and other welfare programmes for orphan/semi-orphan children, destitute children forcibly lifted/stolen children, neglected children delinquent children of parents suffering from contagious diseases foster care service, children of idiotic/mentally retarded persons who can not look after them etc. towards their upbringing education, rehabilitation like creches/day care centres, residential type schools etc. children's libraries, recreational centres, etc., etc.
- (c) *Welfare of Physically Handicapped.*—For starting/running institutions for the care, education, training and rehabilitation of physically and mentally handicapped persons (including children and adults) such as blind, deaf, dumb, crippled orthopaedically handicapped, mentally retarded, aged and infirm etc.

- (d) *Welfare of Backward Classes.*—Various welfare activities for the uplift of Scheduled Castes, Scheduled Tribes, denotified tribes and other backward classes, eradication of untouchability programmes for eradication caste system etc.
- (e) For other social welfare measures like prohibition, etc.

Purposes for which grant-in-aid to be allowed:—

- (i) Grant may be given among others for following purposes:—

Construction of buildings for the institution/ centres provided that if the grant exceeds Rs. 10,000 the construction for which the grant is given shall be undertaken through P.W.D. In regard to the grant for less than Rs. 10,000 the District Welfare Officer concerned will certify after getting a report from Assistant Engineer (Development) that the grant has been utilised for the construction for which grant has been given.

- (ii) Salaries and allowances of the staff etc.
- (iii) Purchase of furniture, equipments etc. for use in the institutions of the inmates.
- (iv) Expenditure towards lodging and boarding of inmates books, stationery, training material fees clothing and bedding and medicines etc.

- (v) Running and maintenance of office of the organisation stationery postage and other contingencies.
- (vi) Holding of seminars, conferences, exhibitions.
- (vii) Research and surveys.
- (viii) Training etc. of the professional staff.

6. Conditions attaching to grants.—Unless in any case Government directs, otherwise, every order sanctioning a grant for specific purpose shall be subject to the following implied terms and conditions:—

- (i) The grants shall be spent exclusively for the purpose for which they are granted;
- (ii) It shall be spent within one year from the date of sanction.
- (iii) The funds shall not be used for party political or anti-government propaganda. If this condition is contravened further grants shall be withheld and the organisation shall refund grants already received by it.
- (iv) Quarterly progress reports on the schemes undertaken by the organisation shall be submitted in triplicate to the Government in the proforma prescribed as Annexure VI so as to reach the Director by the 20th of the month following the month in which the quarter ends.
- (v) The organisation will submit to the Government detailed report of the work done with prescribed audited statements of accounts duly certified by the Chartered Accountants.
- (vi) The organisation shall agree to the visits and inspection of the officers of the Government and provide all facilities in this regard and shall consider their suggestions for the progressive working of the scheme.
- (vii) The organisation shall agree to accept atleast the Welfare Officer of the District where the scheme is running as a member of their Managing Committee appointed for this purpose such nominee shall be associated with the formulation, execution and successful implementation of schemes approved for grants-in-aid.
- (viii) The accounts in so far as they relate to the grants for the proposed schemes shall be subject to the test check or audit by the prescribed audit agency.
- (ix) The organisation shall have no authority to dispose of or encumbrance any capital equipment or property for which grants-in-aid are sanctioned to them without proper approval of the Government and in the event of the organisation dropping the schemes or being wound up, the ownership of such equipment and property shall vest in the Government. The assets acquired by an organisation out of Government grants shall not utilised for purposes other than those for which the grants are sanctioned. The organisation shall also maintain an audited report of all assets acquired wholly or substantially partly out of the Government grants.
- (x) Assets, acquired wholly or partially out of Government grants shall not be disposed of or utilized for other purposes without the prior approval of sanctioning authority.
- (xi) The grantee institution shall maintain a register (in the proforma given below) of the permanent and semi-permanent assets acquired wholly or partially out of Government grants. The register shall be maintained by the grantee institution separately in respect of each sanctioning authority and a copy thereof furnished to the respective Head of the Department annually for permanent record. The assets would be taken to mean all immovable or movable property of the capital nature where the value exceeds Rs. 1,000. The library books, articles of furniture will not be included in it.
- (xii) The unspent balances out of the grant be surrendered by the organisation immediately after the expiry of utilisation period.

- (xiii) The register of assets and book accounts maintained by the grantee Organisation/institution and relevant register maintained of the Director Welfare respectively, shall be available for open to scrutiny by audit.
- (xiv) Quarterly progress report, to be submitted shall also indicate the expenditure on each of the objects and detailed in the scheme and shall be scrutinised by the Government to check whether these have been any variation or unauthorised diversion of the funds.
- (xv) The organisation shall submit detailed reports of the works quarterly, which shall be in the nature of a performance of Achievement Reports. This shall be reviewed by the Government with a view to regulate the payment of grant-in-aid in future.
- (xvi) The grantee after the expiry of the prescribed period will immediately furnish to the Director a Certificate from its auditors to the effect that the grant has been utilised for the purpose for which it was meant within the prescribed period. This utilisation certificate should be accompanied by the details of beneficiaries.
- (xvii) Respective District Welfare Officer will be associated with the implementation of the schemes.
- (xviii) Expenditure will be strictly restricted to prescribed scale.

ANNEXURE

[*Proforma under Rule 6 (xi)]*

ASSETS ACQUIRED WHOLLY OR SUBSTANTIALLY OUT OF GOVERNMENT GRANTS

Serial No.
Name of Grantee Institution.
No. and date of sanction.
Amount of the sanctioned grant.
Brief purpose of the grant.
Whether any condition regarding the right of ownership of Government in the property or other assets acquired out of the grant-in-aid was incorporated in the grant-in-aid sanction.
Particulars of assets actually created or acquired.
Value of the assets as on.
Purpose for which utilised at present.
Encumbered or not.
Reasons of encumbered.
Disposed of or not.
Reasons and authority, if any, for disposal.
Amount realised on disposal.
Remarks.

7. Application for Grants.—All the applications for the payment of grants shall be submitted by the voluntary organisation to the Welfare Officer of their district, in form given at Annexure I. These applications shall be accompanied by the following documents in triplicate:—

- (i) Constitution and bye-laws of the voluntary organisation.
- (ii) Attested copies of registration under the relevant Act. e.g. Societies, Registration Act, 1860. Act 1958 etc.

- (iii) Detailed activities being undertaken by the voluntary organisation.
- (iv) Various sources of its income.
- (v) Acceptance of terms and conditions for the grants laid down in these rules.
- (vi) Details of schemes proposed to be started and for which grant is required.
- (vii) Audited statement of Accounts for the preceding year, duly audited by a Chartered Accountant, or any other authorised agency of the Government.
- (viii) Any other documents which the Director or Welfare Officer may require the voluntary organisation to furnish.
- (ix) The application for grant should be sent before 31st of July each year:

Provided that the documents mentioned in sub-rules (i) and (ii) above shall not be required to be furnished by the organisation already in receipt of grant-in-aid from the Welfare Department unless there is any change in the constitution etc.

8. Procedure for sanction and release of grant.—On receipt of detailed proposal from the voluntary organisation the Welfare Officer shall examine the proposal specifically keeping in view the approved schemes/budget of the department and the benefit proposed in the schemes and shall submit the same, in duplicate, with his recommendations to the Director. Before recommending the proposal, the Welfare Officer shall ensure that—

- (i) The proposal conforms to the scheme with schematic pattern approved by the Government.
- (ii) Similar facilities are not available in the proposed area through any other Government or private agency so as to avoid duplication.
- (iii) The accounts of the voluntary organisation are properly maintained.
- (iv) No utilisation certificate is pending for the previous grants, utilisation period whereof has expired, in the case of voluntary organisations already getting grants from Welfare Department.
- (v) Block accounts are properly maintained and submitted in prescribed proforma.
- (vi) The organisation is not engaged in any corrupt practices.
- (vii) The grant previously released has been utilised for the purpose for which it was sanctioned within the stipulated period.

9. On receipt of proposal from the District Welfare Officer, it will be examined by the office of Director and after proper scrutiny, the Director will forward the same to the Government with his recommendations, with specific reference to the approved scheme and budget provision of the Department, for sanction of the competent authority:

Provided that the Director and the Government shall have full powers to accept or reject any applications for grant-in-aid, without assigning reasons therefor.

10. The grants-in-aid may be allowed in two instalments first instalment in the month of May-June and the second in the month of November-December of each year. One instalment may also be released before 31st March. While applying for first instalment, the organisation already in receipt of grant for the same scheme will have to furnish documents mentioned in rule 6 above, alongwith revised budget estimates for current year and budget estimates for next year (both in triplicate). But while applying for second and final instalment, the following documents shall also be furnished in triplicate by the voluntary organisation:—

- (i) Following audited statement of accounts for previous financial year, duly audited by Chartered Accountant or any agency authorised by Government, alongwith a certificate from the auditing agency to the effect that the grant has been strictly utilised by the grantee for the purpose for which it was sanctioned and within the stipulated period.
- (a) Details of grant-wise expenditure.
- (b) Receipt and Payment Accounts.
- (c) Income and Expenditure Accounts.

- (d) The balance-sheet accompanied with the authorised auditors report.
- (ii) Utilisation certificates of all previous grants, whose utilisation period has expired.
- (iii) Annual progress report of the work done during previous year with monthly enrolment of inmate beneficiaries, with their castes.
- (iv) Block accounts, indicating the permanent or semi-permanent assets acquired wholly or partially out of Government grants. If no such assets acquired, nil information should be sent.
- (v) Details of expenditure incurred in the year.

11. The voluntary organisation cannot claim the grant from the Government as a matter of right. The sanctioning of such grants shall depend upon the availability of funds and approval scheme in the budget of the Welfare Department.

12. The Government shall communicate the sanction to Director of the Organisation, Audit Office, Finance Department, Treasury Officer, Deputy Commissioner and the Welfare Officer of the concerned district. The details of the sanctioned amount shall be contained in the sanction order or shall form an enclosure thereto.

13. Sanctions.—All sanctions of grants-in-aid issued by the Department shall include a certificate to the effect that the pattern of assistance have the prior approval of the Finance Department.

14. Every order sanctioning grant shall indicate whether it is recurring or non-recurring in the nature and specify clearly that the object for which it is given and also the conditions, if any additional to those in the Rules.

15. The sanctioning order should be a specific direction for the payment of specific sum to a specific authority of the organisation and should be distinguishable from orders approving a proposal for a grant-in-aid.

16. The Government shall specify the authority, in the order conveying sanction, who will be competent to countersign the grant-in-aid bill to be prescribed by the organisation against the sanction order.

17. On receipt of sanction order, the specified authority of the organisation shall prepare the grant-in-aid bill in form given in annexure II and shall also execute a bond with two sureties on judicial paper in the form given in annexure III duly attested by a Magistrate 1st Class and submit the grant-in-aid bill alongwith bond to the countersigning authority, mentioned in the sanction order, who shall countersign the bill after satisfying himself of the organisation's having complied with provisions of these Rules. After the counter-signatures the voluntary organisation shall present the bill to the Treasury Office and draw the funds after getting his pass orders.

18. Audit of Grant-in-aid.—Till the Government has its agency of own for conducting the audit of voluntary organisations, the audit shall be got conducted from A.G. H.P. or any Registered Chartered Accountant by the voluntary organisation or from such agency as the Government may specify from time to time.

General

19. B. Estimates.—Any organisation already in receipt of grant-in-aid from Government and desirous of getting the grant in next year also shall submit its detailed Budget Estimates for the next year, latest by the second week of August in the previous year.

20. The Director Welfare shall maintain of grant-in-aid Block account (in the annexure IV) of permanent-and semi-permanent assets acquired wholly or partly out of Government grants. This record shall be of permanent nature and shall be posted from the annual returns furnished by the grantees organisations/institutions.

21. The Director Welfare shall also maintain a register (in the Annexure V) for the details of grant-in-aid given annually to each organisation.

22. The State Government or the Director Welfare may issue necessary instructions, directions and guidance to the grantee organisation/institution, which such organisations/institution shall have to abide with.

23. The Grant shall be debitable to such head of account as shall be mentioned by the Government in the sanction order. Under no circumstances the grant shall be diverted to any purpose other than for which it was released.

24. The grant-in-aid by the Government to an organisation is merely to supplement its resources, primary duty of raising resources being of the organisation. Therefore for any scheme to be run by the organisation, it must raise matching resources of its own and under no circumstances, the total quantum of grant received by it from Central and State Government for any scheme should exceed 90% of the Schematic budget. However in exceptional circumstances where Government desires it necessary for reasons recorded in writing it can grant 100% grant for a period of 2 years only since the commencement of the scheme.

25. In case of any default on the part of any voluntary organisation such as non-submission of audited accounts misutilisation of grant, raising of any objection by the voluntary organisation for the inspection of its accounts by any Officer deputed by the Government for this purpose, the Government shall have the right to deposit the amount of subsequent grant in any bank as joint account to be operated/managed jointly by the Director of Welfare and the Chairman, President, Secretary to the Organisation. The voluntary organisation shall submit to the Director of Welfare the details of funds immediately required for meeting expenses by the organisation for the withdrawal of funds from the joint account. Therefore the grant-in-aid money shall remain in the joint account.

26. The Government shall have the discretion to allow the voluntary organisation to utilise the balance of the grant in the subsequent year, provided there is full justification for its non-utilisation in the year during which the grant was sanctioned by the organisation after the recommendations of the Director of Welfare who would first satisfy himself with the reasons given by the organisation.

27. *Recoveries.*—The Government shall have the power to recover the amount of grant-in-aid together with interest @6% in case where it is felt that the grant is being/has been misutilised or diverted or not used by the voluntary organisation. The person who executed the bond on behalf of the organisation the signatures given in the bond mentioned in rule 18 or from the office bearer of the voluntary organisation, in the order given above.

A. N. VIDYARTHI,
Secretary (Welfare).

ANNEXURE-I

Directorate of Welfare, Government of Himachal Pradesh

General.—(Form of application) see Rules 9 of Welfare Deptt. Grant-in-aid Rules.

1. Name and full address of the institution.
2. Date of Establishment.
3. Is the organisation a regd. body? If so, give its date of registration.
4. Management of the institution whether run by an individual or by a Manager Committee elected or non-elected. Give details of its constitution with name of its members.
5. Aims and object of the organisation with its Rules and Regulation framed for its day to day functions.

6. In the Organisations—
 - (a) a Branch of any parent Orgn. if so, state the name of organisations.
 - (b) Open to all sections and communities under the Constitution.
7. Description of the Building occupied by the organisation covered or rented.

B. Programme and Activities:

1. Fields of Welfare activity in which the organisation is mainly engaged.
2. Details of present activities.
3. No. of beneficiaries with their age-groups.

Below 10 years 11—15 16—21 22—35 Above 35 Total

- (i) Women.
- (ii) Children.
- (iii) Men.

4. Criteria and procedure for admission in the Institution.

5. Details of existing staff

<i>Supervisory</i>	<i>Technical</i>	<i>Clerical</i>
(a) Honorarium.		
(b) Paid		

C—Financial Position.—

	<i>Income</i>	<i>Expdt.</i>	<i>Deficit or surplus</i>
1. Details of Income/Expdt. for the past 3 years including the current financial year.			
2. Details of Annual income/grant if any, from— <ol style="list-style-type: none"> (a) Central Social Welfare Board. (b) State Government. (c) Local Bodies. (d) Donations. (e) Subscriptions. (f) Sale of products. (g) Miscellaneous. 			
Total ..			

3. Regular source of income on which the organisation depends.
4. Assets and liabilities, if any.
5. Method of controlling in matters of functioning, expenditure, operation of Bank account, checking and maintenance of accounts.

D—New Programme:

1. Brief details of the scheme.
2. Amount of Grant-in-aid required with programmes and purpose for which grant-in-aid is sought.
3. Budget giving item-wise break up of probable annual expenditure both recurring and non-recurring on the contemplated programme.
4. Estimated capacity of the organisation for raising contribution in addition to maintain the present level of activities and meeting expenditure thereon.
5. Will the organisation be able to utilise the grant within the current financial year in the event of its being sanctioned?
6. Any other information which may be useful.

Signature,
President/Secretary to the
Organisation.

Certified that the above information is correct to the best of my/our knowledge and nothing has been concealed. It is further certified that I/we are legally authorised

persons to apply for the grant on behalf of the organisation. The Himachal Pradesh Welfare Department Grant-in-aid Rules, have been gone through and the organisation shall abide by these Rules.

Signatures.

ANNEXURE II

(Grant-in-aid bills) Head of Account.....

Received a sum of Rs.....(Rupees.....) from the Government of Himachal Pradesh through the Director of Welfare, Himachal Pradesh, Simla as grant-in-aid for the running and maintenance of..... for the year.....as instalment as sanctioned by the Himachal Pradesh Government, Welfare Department's sanction order No.....dated.....(copy enclosed for ready reference). The Himachal Pradesh Welfare Department Grant-in-aid Rules and the terms and conditions in which the grant has been sanctioned, are acceptable to us.

*Signature of the grantee
with full name and designation.*

Countersigned for Rs.....

(Rupees.....)

Signature of countersigning authority.

ANNEXURE III

AGREEMENT FORM

BY THIS BOND I,
Resident of.....
(Principal) and.....
(Surety No. 1) and Shri.....(Surety No. 2) are jointly and severally bound to the President of India in the sum of Rs.....(Rupees.....) only granted as grant to be paid to the said.....(Principal) or to his/her successor in Office for which payment is to be made.

We bound ourselves administrators or assigns jointly and severally by these presents.

WHEREAS THE President of India has granted a sum of Rs.....(Rupees.....) only as a grant for.....through.....

(Particulars of which are given in the schedule here-to annexed) to be utilised in accordance with the scheme approved and sanctioned by the Himachal Pradesh Government to the said.....(Principal) subject to his/her entering into a bond for a sum of only with two sureties in the same sum and whereas the said.....(Principal) has agreed to enter into the above written bond and the said.....and Shri.....have agreed to enter into the same bond as sureties for the said.....(Principal).

NOW THE CONDITIONS OF this bond is such that if the said.....(Principal) fails to utilise the amount of grant for the purposes for which it was sanctioned and fails to abide by the Grant-in-aid Rules for Welfare Department and other terms and conditions if any attached to the grant in accordance with the scheme approved and sanctioned by Himachal Pradesh Government within a period of one year or stipulated period in the sanction order mentioned to above, and also if he/she fails to surrender the unspent portion of the grant to the Himachal Pradesh Government and further during the utilisation period she/he fails to permit persons duly authorised by the Himachal Pradesh Government to visit the site of the scheme. Institution of the grant as the case may be and to generally supervise the utilisation of the grant the said.....(Principal) and said Shri.....(Surety No. 1) of said their heirs, executors administrator of assigns shall pay to the said President a sum of Rs.....only

together with interest at the rate 6% and in case of failure to repay the amount and interest thereon, the total amount shall be recoverable from them jointly as well as individually as arrears of land revenue. The stamp will be borne by the guarantee.

Signed and delivered by ourselves at Simla this day of.....

Surety No. 1.....

Surety No. 2.....

(PRINCIPAL)

ANNEXURE IV

PROFORMA

Register of Assets acquired wholly or substantial out of Government Grants (to be maintained by the Grantee Institutions)

1. S. No.
2. Name of the grantee institution—No. and date of sanction.
3. Amount of sanctioned grant.
4. Brief purpose of the grant.
5. Sanctioning authority—Whether any condition regarding the right of ownership of Government in the property or other assets acquired out of the grant as incorporated in the grant-in-aid sanction.
6. Particulars of assets actually created or acquired.
7. Value of the assets as on.
8. Purpose for which utilised at present.
9. Encumbered or not.
10. Reasons if disposed or encumbered or not.
11. Reasons and authority if any for disposal.
12. Amount realised on disposal.
13. Remarks

Note.—(1) A separate proforma should be maintained in respect of each sanctioning authority.

Note.—(2) A copy of the proforma should be submitted annually to the Head of the Department.

ANNEXURE V

PROFORMA

Block account of assets acquired wholly or substantially out of Government grants

(to be maintained by the Head of the Department)

1. Sr. No.
2. Name of the grantee institution.
3. No. and date of sanction and sanctioning authority.
4. Amount of the sanctioned grant.
5. Brief purpose of the grant.
6. Whether any condition regarding the right of ownership of Government in the property or other assets acquired out of the grant was incorporated in the grant-in-aid.
7. Particulars of assets actually created/acquired.
8. Value of the assets as on.
9. Purpose for which utilised at present.
10. Encumbered or not.
11. Reasons, if disposed encumbered or not.
12. Reasons and authority if any for disposal.
13. Amount realised on disposal.
14. Remarks.

ANNEXURE VI

QUARTERLY PROGRESSIVE REPORT OF WORK
DONE BY THE VOLUNTARY ORGANISATION
IN HIMACHAL PRADESH IN RESPECT OF
WELFARE SCHEMES EXECUTED WITH THE
GRANT OF WELFARE DEPARTMENT FOR THE
QUARTER ENDING.....

- 1 Sl. No.
- 2 Name of the scheme.
- 3 Total amount received as grant.
- 4 Exptd. incurred during the quarter.

- 5 Exptd. upto the end of previous quarter.
- 6 Progressive total.
- 7 Brief details of work done in the institution during the quarter under report.
- 8 No. of inmates in the institution during the quarter under report—
 - (a) S.Cs.
 - (b) S.Ts.
 - (c) Others
9. Details of staff in the institution.
10. Remarks

A. N. VIDYARTHI,
Secretary.

भाग 4—स्थानीय स्वायतंशासन: स्पुनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग
शूल्य

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

PROCLAMATION UNDER ORDER 5, RULE 20
C. P. C.

Given under my hand and the seal of the court on 12-5-81.

In the Court of District Judge, Kangra Division
at Dharamsala

Case No. C. M. A. 48/78

Seal.

V. K. GUPTA,
Sub-Judge, 1st Class,
Dehra, District Kangra.

In case Shri Piarey Lal Versus Manohar Lal

Versus

(1) Manohar Lal (2) Parveen Kumar sons of Charanji Lal
residents of Jawalaji, Tehsil Dehra, District Kangra
Defdt.

Whereas in the above noted case, it has been proved to the satisfaction of this court that the above noted defendant is evading the service of the summons and cannot be served in the normal course of the service. Hence, this proclamation is hereby issued against him to appear in this court on the date fixed for hearing on 8-6-1981 at 10 A. M. personally or through an authorised agent or pleader to defend the case, failing which *ex parte* proceedings will be taken against him.

Given under my hand and the seal of the court this 17th day of March, 1981.

Seal.

Sd/-
District Judge, Kangra
Division at Dharamsala.

PROCLAMATION UNDER ORDER 5, RULE 20
C.P.C.

In the Court of Shri V. K. Gupta, Sub-Judge, 1st Class
Dehra, District Kangra

CIVIL SUIT NO. 112/80

Seal.

SURHIT SINGH,
Senior Sub-Judge,
Una District, Una.

Brij Nandan Versus Inderjit Mogga

Suit for recovery of Rs, 3,600

To

Shri Inderjit Mogga s/o Jaichand Mogga ex-shopkeeper of Jawalamukhi, Teh. Dehra at present, House No. 86, Mohalla Kararkhan Jullundur City.

Whereas in the above noted civil suit the summons were issued to the above named defendant from this court but the same have been received unserved in this court.

Now it has proved to the satisfaction of this court that the defendant named above cannot be served through normal course of service.

Hence this proclamation under order 5 rule 20, C. P. C. is hereby issued against the defendant to appear in this court on 27-6-81 at 10 A. M. personally or through an unauthorised pleader or agent failing which *ex parte* proceeding shall be taken against him.

PROCLAMATION UNDER ORDER 5, RULES 20
C. P. C.

In the Court of Shri Surhit Singh, Senior Sub-Judge
Una District, Una

CIVIL SUIT NO. 107 OF 80

Smt. Orku Versus Balwant Singh etc.
Versus:

(1) Shri Balwant Singh (2) Karnail Singh, (3) Jagir Singh, s/o Gian Singh, r/o Kamloch, Tehsil & District Hamirpur ..Defds.

Whereas in the above noted case it has been proved to the satisfaction of this court that the above named defendants cannot be served through an ordinary course of service, hence this publication under order 5, rule 20, C. P. C. is hereby issued against them requiring them to appear in this court on 11-8-81 at 10

ब्रह्मदालत जनाव कुन्ज लाल गौतम ब्रह्मदालत कुलैक्टर
पालमपुर, तहसील पालमपुर, जिला कांगड़ा
हिमाचल प्रदेश

केस नम्बर 18/1979

तिथि पेशी 8-6-81

इश्तहार जेर आर्डर 5, रुल 20, जान्ता दीवानी

(1) श्री जोग राज पुत्र मोहन लाल, (2) श्रीमती जगत्मवा
देवी पुर्णी जोग राज जान्ता मूद, निवासी महाल पररोला, तहसील
पालमपुर

सायल।

वनाम

(1) श्रीमती प्रकाशो देवी पत्नी मेला राम निवासी भवासना,
तहसील पालमपुर, (2) श्री बाबू राम पुत्र श्री भगत राम, (3)
श्रीमती पुष्पा देवी निहाल चन्द, (4) श्रीमती कान्ता देवी
पत्नी दीना नाथ पुत्र धूर्द्धा निवासी टीकाव मौजा पररोला, तहसील
पालमपुर, जिला कांगड़ा मूलप्रलयम।

अपील तक्षीम भूमि खाता नं 0 46 खतौनी नं 0 148 ता 152
खसरा किता 19 रकवा वकदर 2-9-3-42 हैकटेयर वाक्ता महाल
कस्वा, तहसील पालमपुर खिलाफ हुकम सहायक कुलैक्टर प्रयम श्रेणी
पालमपुर।

ब्रह्मदालमा सदर अपील जेर समायत अदालत हजा है। मूलप्रलयम
को अदालत से कई वार समन जारी हुए परन्तु मूलप्रलयम हाजिर
अदालत होने से गुरेज कर रहे हैं अतः अदालत को विज्ञान हो गया
है कि मूलप्रलयम की तामील आसान तरीके से नहीं हो सकती है।
अतः तमाम मूलप्रलयम को जेर आर्डर 5, रुल 20 जान्ता दीवानी
बज्रिया इश्तहार गजट चेतावनी दी जाती है कि वह असालतन या
वकालतन तिथि 8-6-81 अतः 10 वर्ज हाजिर अदालत होकर पैरवी
मुकदमा करें हाजिर न होने की दशा में कार्यताही जावता अमल में
लाई जावेगी।

आज हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

कुन्ज लाल गौतम,
कुलैक्टर, पालमपुर।

ब्रह्मदालत श्री हर भजन सिंह, सहायक समाहर्ता, द्वितीय श्रेणी
राम शहर, जिला सोलन, हिमाचल प्रदेश

इश्तहार अदालती सैक्षण 20 सी 0 पी 0 सी 0

श्रीता राम पु 0 फीनू राम पुत्र धनेया, ग्राम वायला, परगना
रामपुर, उप-तहसील राम शहर, जिला सोलन वादी।

वनाम

श्रीमती विमला धर्म पत्नी राम दास, निवासी सैक्षण 18
मकान नं 0 604, चण्डीगढ़ प्रतिवादी।

हरगाह प्रतिवादी ने बादी के हक में अराजी मु 6,000 में
दिनांक 19-9-1980 को मौजा काहनी में रकवा तादादी 24-11 विधा
व किया जिसका इन्तकाल नम्बर 298 दरज किया जा चका है।
तसदीक होने के समय प्रतिवादी हाजिर नहीं हो रहा है। जिससे यह
प्रतीत हुआ है कि वह इन्तकाल के तसदीक होने में आता कानी करती
है। अतः इस अवधारी इश्तहार के द्वारा प्रतिवादी को सचित किया
जाता है कि वह दिनांक 22-6-1981 को प्रातः 10 वर्ज असालतन
मुकाम अदालत हजा रामशहर उपस्थित होकर लिखित या मौखिक
व्याप देवे हाजिर न होने की सूरत में इन्तकाल को तसदीक कर दिया
जावेगा और बाद में कोई उजर नाकावले समाअत होगा।

आज दिनांक 28-4-1981 को हमारी मोहर व हस्ताक्षर
द्वारा जारी किया गया।

मोहर।

हर भजन सिंह,
सहायक समाहर्ता, द्वितीय श्रेणी,
राम शहर, जिला सोलन।

ब्रह्मदालत महायक समाहर्ता, द्वितीय श्रेणी तहसील मदर, मण्डी
हिमाचल प्रदेश

मिमत नं 0 105 मरजूथा

28 नवम्बर, 1978

ब्रह्मदालमा

दुर्गु पुत्र कन्ह निवासी वृद्धमणी वटेहडा, इलाका बल्ह, तहसील मदर,
जिला मण्डी, हिमाचल प्रदेश प्रार्थी।

वनाम

नारद, मित्र देव, भगव राम पुरुणग भव देव, मु 0 कला देवी,
मु 0 भुजेश्वरी देवी, दूष्यारान परम देव, धन श्याम, पवन कुमार
पिमरान परम देव, मु 0 पारवती देवा परम देव, यादविन्दर, जिव-
शंकर पिमरान हेत राम, निवासी कांगर, इलाका बल्ह, तहसील मदर,
जिला मण्डी, हिमाचल प्रदेश प्रत्यार्थी।

दरक्षवःस्त भेतह गिरदारी वावत खाता नम्बर 7 नि; 13 मिन
नं 0 खसरा 578 रकवा तादादी 1-13-15 बोधा वाक्ता मौजा ग्रण,
तहसील मदर।

उपरोक्त मुकदमा में उन्वान बाला में फरीद दोयम को इस आदलत
हजा से कई वार समन भेजे गये परन्तु फरीदहांस तामीन करने से
गुरेज करते हैं। अदालत हजा को पुरा विज्ञान हो चुका है कि उन
पर साधारण तरीके से तामीन नहीं हो सकती। लिहाजा फरीद दोयम
को वज्रिया इश्तहार नूचित किया जाता है कि वह दिनांक 5-6-1981
को असालतन या वकालतन हजा में हाजर हो कर पैरवी
मुकदमा करें अन्यथा कार्यवाही एक तरफ अमल में लाई जावेगी।

अःज दिनांक 11-5-1981 को हमारे हस्ताक्षर व मोहर अदालत
से जारी किया गया है।

हस्ताक्षरित
राह्यदाता श्रीहर्ता, द्वितीय श्रेणी,
तहसील मदर, मण्डी।

ब्रह्मदालत श्री रूप सिंह ठाकुर, नायब-तहसीलदार

ब्रह्मदालत सहायक समाहर्ता, द्वितीय श्रेणी वडसर, जिला
हमीरपुर।

जान सिंह वनाम सिंह अमल अम जनता

उन्वान: तसदीक किये जाने इन्तकाल न 0 402 टीका कठवाँ,
तप्पा, डट्वाल, तहसील वडसर बावत वरान्त श्री
दितू पुत्र फिलू वहक जान सिंह पुत्र दितू वराये
बसीयत मुहरी 24-12-1974।

नोटिस वनाम अम जनता

उपरोक्त उन्वान बाला में आम जनता को सूचित किया जाता
है कि अगर किसी मनव्य को उपरोक्त वसीयत के इन्तकाल को तसदीक
होने में एतराज हो तो वह हमारे न्यायालय हजा में असालतन या
वकालतन दिनांक 8-6-1981 को बराये पैरवी हाजिर आवेदन अन्यथा
कार्यवाही यक तरफा अमल में लाई जावेगी।

आज दिनांक 8-5-1981 को हमारे हस्ताक्षर व मोहर अदालत
से जारी हुआ।

मोहर।

रूप सिंह ठाकुर,
नायब-तहसीलदार अब्द्यारात,
सहायक समाहर्ता, द्वितीय श्रेणी, वडसर,
जिला हमीरपुर।

अदानती इन्हार जेर आर्डर 5, रुल 20, जाबता दीवानी
व अदानत थीं लायक राम नेगी, सहायक समाहृति, द्वितीय श्रेणी,
उप-तहसील हंगरंग, जिला किन्नोर, हिमाचल प्रदेश

तसदीक इन्हाल नं 0 3125 मकानू-उल-खबरी, मौजा हांगो,
हदबस्त नं 0 56. उप-तहसील हंगरंग, जिला किन्नोर।

वरवक्त तसदीक जमावन्दी पांच मासा 1979-80 जलसा आम में
श्री गन्ना दास हिस्सादार ने व्याप किया कि श्री धौसल पुत्र तवज्ञा
पुत्र नहू, निवासी याम हांगो, उप-तहसील हंगरंग, जिला किन्नोर
अरसा 30 ताल में लाभा है। लापता होने के बाद उसकी ओर
से किसी नजदीकी रिखेदार व वरादरान को कोई सूचना व पत्र
आदि नहीं आया और न ही किसी को उसके जीवित या मृत होने
का ज्ञान है।

ग्राम वासी हांगो का व्याप है कि उपरोक्त श्री धौसल जीवित नहीं
है अतः इस इन्हार द्वारा सर्व साधारण व उपरोक्त श्री धौसल को,
यदि वह जीवित हो तो भूचित किया जाता है कि वह स्वयं या
उसका बकील एक मास के भीतर इस प्रदानत में उपरियत होकर
इन्हाल की पंरदी करे। एक मास की अवधि व्यतीत होने के उपरांत
उपरोक्त इन्हाल उसके सहोदर भाई श्री गन्ना दास के नाम स्वीकार
किया जावेगा।

इन्हार हजा आज दिनांक 5 मई, 1981 को हमारे हस्ताक्षर
व मोहर अदानत में जारी हुआ।

मोहर। लायक राम नेगी,
सहायक समाहृति,
उप-तहसील हंगरंग, जिला किन्नोर।

In the Court of Shri Surendra Prakash, District Judge
Simla, Himachal Pradesh

S. A. 3-S/2 of 1981

Shri Ram Bhajan, r/o No. 28 Nabha Estate, Simla-4
.....Petitioner.

Versus

1. Smt. Jagdevi (wd/o) 50 years, r/o No. 28, Nabha Estate Simla. 4.
 2. Smt. Ram Devi (Daughter) age 19 years w/o Shri Ram Khla, P. O. and village Jirikhpur, Unaoo District, Uttar Pradesh.
 3. Km. Dulari (Daughter) 9 years, minor under the guardianship of mother Smt. Jagdevi, r/o. No. 28, Nabha Estate Simla-4Respondents.
 4. General public.
- Petition under section 372 of Indian Succession Act for the grant of Succession Certificate

To

The General Public

Whereas in the above noted petition the petitioner Shri Ram Bhajan has applied for the grant of succession certificate in respect of the account No. 534831 in the Simla post of late Shri Ram Dayal deceased.

Notice is hereby given to the general public, relations and kinsman of the deceased Ram Dayal that if anybody has got any objection to the grant of the same in favour of the petitioner, the same be filed in this Court on 8-6-1981 at 10 A. M. otherwise the petition will be decided *ex parte*.

Given under my hand and the seal of this court this 14th day of May, 1981.

Seal.

SURENDRA PRAKASH,
District Judge, Simla.

In the Court of Shri M. R. Chauhan, Sub Judge 1st Class, Ghumarwin, District Bilaspur, H. P.

Civil Suit No. 57/1 of 1980

Daya Ram s/o Guja Ram, r/o village Bah, Pargana Ajmerpur, Tehsil Ghumarwin, District Bilaspur, H.P. and others Plaintiff.

versus

Bali Ram s/o Dhaulu, r/o village Darhal, Pargana Ajmerpur, Tehsil Ghumarwin, District Bilaspur, H. P. and others Defendants.

Suit for Declaration

**PROCLAMATION NOTICE UNDER ORDER 5
RULE 20 C.P.C.**

To

1. Pohlo S/o Guja, r/o village Bah, pargana Ajmerpur, Tehsil Ghumarwin, District Bilaspur, Himachal Pradesh ..Defendant.
2. Nimo Devi d/o Basanta, village Chhat Damli, Pargana Gehrwin, Teh. Gumarwin, District Bilaspur, Himachal Pradesh ..Proforma defendant.

Whereas in the above noted case, it has been proved to the satisfaction of this court that the defendants above-named are evading the service of the summons and cannot be served in the normal course of service.

Hence this proclamation is hereby issued against them to appear in this court on 9-6-1981 at 10 A. M. personally or through an authorised agent or pleader to defend the case failing which an *ex parte* proceedings will be taken against them.

Given under my hand and seal of the Court today this 7th day of May, 1981.

Seal.

M. R. CHAUHAN,
Sub-Judge 1st Class,
Ghumarwin, District Bilaspur.

In the Court of Kiran Aggarwal, Senior Sub-Judge, Hamirpur
Himachal Pradesh

CASE NO. 35/1981

Jai Nand v/s Salig Ram.

To

General Public.

Whereas Sh. A.C. Dogra Advocate on behalf of the plaintiff Jai Nand has filed a civil suit of declaration to the effect that plaintiff has only wedded wife i.e. Smt. Indira Wati d/o Dayal and has never contracted second marriage during the life time of first wife Smt. Indira Wati. And whereas the said case has been fixed for hearing before this court on 4-6-1981 at 10 A. M.

Notice is hereby given to the general public that in case any person want to contest the suit, he should appear in this court on the date fixed. If no appearance is made by any one personally or through some advocate by law authorised to act for him in this suit, it will be decided *ex parte*.

Given under my hand and the seal of the court this the 13th May, 1981.

Seal.

KIRAN AGGARWAL,
Senior Sub-Judge,
Hamirpur.

**In the court of District Judge, Solan & Shimla Districts
camp at Solan**

Smt. Kailash Sharma d/o Shri Ram Chander, Teacher
Govt. High School, Kasauli, District Solan resident of
Mashobra, Tehsil Kasauli, District Solan ... Applicant.

Versus

The General Public .. Respondent.

PETITION No. 2-S/2/80

**PETITION UNDER SECTION 372 OF INDIAN
SUCCESSION ACT**

To

The General Public.

Whereas the above named petitioner having applied for the grant of Succession Certificate for the estate of Shri Ram Chander son of Late Kirpa Ram, resident of village Mashobra, Tehsil Kasauli, District Solan, who died on 30-11-69 and his widow Smt. Utam Devi, who also died on 27-5-77 at Kasauli, District Solan, Himachal Pradesh.

Notice is hereby issued to the general public to file objections if any, against the grant of succession certificate in favour of the petitioner on or before 10-6-1981 at 10.00 A.M. in this court at Solan. In case no objection is received in this court on or before the date fixed, further

proceedings with regard to the grant of succession certificate in favour of the petitioner will be taken.

Given under my hand and seal of the court this 8th May, 1981.

Seal.

H. D. KAINTHALA,
District Judge, Solan, H.P.

**THE BAR COUNCIL OF HIMACHAL PRADESH
SIMLA**

NOTIFICATION

Simla, the 27th March, 1981

No. BCHP/7-71/162 (a) 1981.—The following note may be added below the first sub. para of Rule 46 of the Bar Council of Punjab and Haryana (Constitution and Conduct of Business) Rules, 1963, which are also applicable to this Bar Council:—

Note: The place of residence for the purpose of this Rule shall mean the place where he normally practises and where a member has a residence at two places, he shall be entitled to Travelling Allowance from the place nearest to the Council Office."

BHIM SEN,
Hony. Secretary.

भाग 6—भारतीय राजपत्र इत्यादि में से पूनः प्रकाशन

शून्य

**भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक प्रधिसूचनाएं तथा ग्रन्थ
निर्वाचन सम्बन्धी प्रधिसूचनाएं**

शून्य

प्रान्तपूरक

शून्य

PART I

वन खेती एवं परिवेश संरक्षण विभाग

आदेश

शिमला-2, 21 फरवरी, 1981

संख्या एक०टी०एस० (एफ०) ३-६/८०.—हिमाचल प्रदेश सरकार की प्रधिसूचना संख्या एक०टी०एस०-१६२-१/६१-II (एम), दिनांक 25-8-1966 के अधीन अधिसूचित हिमाचल वन (बन्दोबस्त) नियम, 1966 की धारा 4 (1) द्वारा प्रदत्त अवित्यों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश, किनौर जिला में भू-बन्दोबस्त कार्यों के बन्दोबस्त अधिकारी (राज्य सिविल सेवाओं में से एक अधिकारी) को, उक्त जिले में वन भूमि या बंजर भूमि में अवश्य उस पर सरकार के तथा गैर सरकारी व्यक्तियों के अधिकारों के अस्तित्व, प्रकृति तथा सीमा को जांच करने तथा अवधारण करने हेतु जिला किनौर के लिए, सहर्ष वन बन्दोबस्त अधिकारी नियुक्त करते हैं।

आदेश द्वारा,
हस्ताक्षरित
सचिव।

उद्योग विभाग

अधिसूचना

शिमला, 25 मार्च, 1981

संख्या उद्योग-ठ (ii)-6/80—राज्यपाल, हिमाचल प्रदेश कारागार विभाग की नाहन काँड़दरी के निदेशक मण्डल में बड़ौर चैयरमैन/निदेशक के लिए 30-12-1980 से सहर्ष नियुक्त करते हैं।

1. श्री रणजीत सिंह वर्मा उद्योग मन्त्री
2. श्री सिरी राम जर्खी, विधायक
3. श्री अनंग पाल, आवक्ता एवं मन्त्रिवाचिक (उद्योग)
4. श्री एम० एस० मुकर्जी (वित्त मन्त्रिवाचिक)
5. श्री अत्र मिह, प्रबन्ध निदेशक, एम०आर०टी०टी०
6. श्री अरविन्द कौल निदेशक उद्योग, हि०प्र०
7. श्री आर० एस० वन्सल जिलाधीश, तहत
8. श्रीमती हरिन्द्र चिन्ह उप-मन्त्रिवाचिक (उद्योग)
9. श्री एस० आर० मजुमदार, प्रौद्योगिक मलाहकार, तकनीकी विकास निदेशालय भारत सरकार, उद्योग भवन, नई दिल्ली।
10. श्री एन० गोपीनाथन, निदेशक (गुड व खांडसारी) खादी व ग्राम उद्योग कमीशन, बन्दर्व
11. श्री सीता राम, प्रधान, हिमाचल प्रदेश राज्य सहकारी बैंक लि० जिलमा।

अद्वेष डारा,
अनंग पाल,
आयुक्त एवं सचिव।

कारागार विभाग

अधिसूचना

शिमला-171002, 27 फरवरी, 1981

संख्या कामार-ब (6)-1/79.—राज्यपाल, हिमाचल प्रदेश कारागार विभाग की समसंबंधी अधिसूचना दिनांक 7 दिसम्बर, 1979, 19 मार्च, 14 मई, 1980 द्वारा श्री ह०एस० मिश्रा, कल्पणा अधिकारी (कारागार) को मुद्र्य कल्पणा अधिकारी (कारागार)

मध्यालय, हिमाचल प्रदेश के पद पर की गई तदर्थ नियुक्ति की अवधि को दिनांक 1 जनवरी, 1981 से 30 जून, 1981 तक आगे केवल छः मास के लिए या जब तक कि विभागीय पदोन्नति समिति द्वारा यह पद नियमानुसार नियमित रूप से भरा नहीं जाता, जो भी पहले हो बड़ाने की स्वीकृति देते हैं।

अमर नाथ विद्यार्थी,
सचिव ।

श्रम तथा मुद्रण विभाग

अधिकूक्षन

शिमला-171002, 13 मार्च, 1981

संख्या लैप (लैव) (3) 1 (9) 11/77.—हिमाचल प्रदेश सरकार की अधिकूक्षना सम संख्या दिनांक 12-6-1980 के अधिकमण में तथा न्यूनतम वेतन अधिनियम, 1948 (1948 का अधिनियम सं 11) की धारा 5 की उप-धारा (1) के खण्ड (वी) के अन्तर्गत प्रदत्त जनितयों का प्रयोग करते हुए सलाहकार छोड़ के परामर्श पर क्रृपय व्यवसाय में लगे मजदूरों के निम्नलिखित दर बड़ाने के प्रस्ताव को राज्यपाल, हिमाचल प्रदेश जनता के सूचनार्थ प्रकाशित करने के महर्ष तुरन्त आदेश देते हैं। यह दर प्रथम जनवरी, 1981 से लागू होगे—

कमंचारी वर्ग

दैनिक वेतन

मासिक वेतन

1. अकृणल कर्मचारी	7.25	217.50 पैसे
2. अव्यवस्क अकृणल कर्मचारी ।	व्यवस्क मजदूरों के वेतन का .90 प्रतिशत यानि रूपये 6.60 पैसे प्रति दिन अथवा 198.00 रूपये मासिक ।	.90

राज्यपाल महोदय निम्नलिखित इलाकों में प्रत्येक के आगे दिखाई गई राशि की बड़ातरी का भी आदेश देते हैं।

जगह का नाम

बड़ोतरी प्रतिशत

1. जिला नाहानीन-स्पिनि किन्नौर, चम्बा जिला भरमोर तथा पांची तहसील ।	25 प्रतिशत
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आदेश द्वारा,
हस्ताक्षरित,
सचिव ।

PART II

उद्योग विभाग

“भीमिकीय शाखा”

“नीतामी सूचनाएं”

दिनांक 14 मई, 1981

“मर्वसाधारण को सूचित किया जाता है कि हमीरपुर जिला की लघु खनिज खानों की सार्वजनिक नीतामी महा प्रबन्धक, जिला उद्योग केन्द्र, हमीरपुर के कार्यालय में दिनांक 25 जून, 1981 को सुवह 11 बजे की जायेगी। पूर्ण जानकारी के लिए महा प्रबन्धक, जिला उद्योग केन्द्र, हमीरपुर के कार्यालय से मुप्पक स्वापित करें।

दिनांक, 14 मई, 1981

“मर्वसाधारण को सूचित किया जाता है कि जिला कांगड़ा की लघु खनिज खानों की सार्वजनिक नीतामी खण्ड विकास अधिकारी,

2. ग्राम पंचायत मसाना कुलू ।
3. डोडरा क्वार तहसील रोहड़ जिला शिमला ।
4. चौहरी बैली तहसील जोगिन्दर नगर, जिला मण्डी ।
5. बड़ा भंगाल तहसील पालमपुर, जिला कांगड़ा ।
2. (1) तहसील रामपुर तथा चौगाल, जिला शिमला ।
2. तहसील आनी तथा निरमण, जिला कुलू ।
3. ग्राम पंचायत मगल, जिला सोलन ।
4. चावासी तहसील करसोग, जिला मण्डी ।
5. गरवीदह देहात तथा बटवारा, तहसील मुन्दरनगर, 20 प्रतिशत जिला मण्डी ।
6. छोटा भंगाल तहसील पालमपुर, जिला कांगड़ा ।

1. तहसील रोहड़ जिला शिमला (डोडरा क्वार छोड़ कर) ।

2. सब-तहसील शिलाई, तहसील रैणका, जिला सिरमोर ।

3. तहसील चुराह, जिला चम्बा ।

4. कुट पंचायत तथा परगना बैलर, जिला चम्बा ।

5. मनाली तथा युहजी पांचती तथा लमग, बैली तथा 12 $\frac{1}{2}$ प्रति बन्जाई ब्लाक, जिला कुलू ।

6. तहसील चब्योट, जिला मण्डी ।

7. तहसील करसोग, जिला मण्डी (चवासी को छोड़ कर) ।

नोट:—उपरोक्त दर समस्त न्यूनतम दरों को मिला कर है।

तदानुसार सम्भवी प्रभावित होने वाले व्यक्तियों को एतद्वारा सूचित किया जाता है कि उक्त प्रस्ताव पर विचार इस अधिकूक्षना के हिमाचल प्रदेश राजपत्र में प्रकाशित होने की तिथि के दो मास पश्चात किया जाएगा। उक्त प्रस्ताव से सम्बन्धित सभी अवित्तियां तथा सुचाव अमायुक्त, हिमाचल प्रदेश शिमला के नाम भेजने होंगे।

दिनांक, 16 मई, 1981

“सर्वसाधारण को सूचित किया जाता है कि कुलू जिला की लघु खनिज खानों की सार्वजनिक नीतामी महा प्रबन्धक, जिला उद्योग केन्द्र, कुलू के कार्यालय में दिनांक 10-6-1981 को सुवह 11.00 बजे की जायेगी। खानों के पूर्ण विवरण के लिए महा प्रबन्धक, जिला उद्योग केन्द्र, कुलू के कार्यालय से सम्पर्क स्थापित करें।”

निदेशक,
उद्योग ।